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Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Report of the Advisory Committee on Administrative and Budgetary Questions

(United States dollars)

Initial appropriation for special political missions, good offices and other political initiatives authorized by the General Assembly and/or Security Council under section 3, Political affairs, of the programme budget for 2006-2007[a]	355 949 300
Total appropriation by the end of the sixtieth session of the General Assembly for special political missions, good offices and other political initiatives authorized by the General Assembly and/or Security Council under section 3, Political affairs, of the programme budget for 2006-2007[b]	375 015 000
Resource requirements proposed by the Secretary-General for the period from 1 January to 31 December 2007	364 871 200
Appropriation requested[c]	268 987 600
Recommendation of the Advisory Committee on resource requirements for the period from 1 January to 31 December 2007	328 584 080
Appropriation recommended by the Advisory Committee[c]	232 500 480

[a] General Assembly resolution 60/247 A of 23 December 2006.

[b] Includes charges approved under General Assembly resolutions 60/248, 60/255, 60/281 against the initial appropriation, as well as the additional appropriation of $19,065,700 approved in resolution 60/281 (under the provisions of resolution 41/213).

[c] Difference attributable to the expected unencumbered balance of $95,883,600 at the end of 2006.

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I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on estimates in respect of special political missions, good offices and other initiatives authorized by the General Assembly and/or the Security Council (A/61/525 and Add.1-5). During its consideration of the report, the Advisory Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. The action proposed by the Secretary-General in his report (A/61/525, para. 34) involves an additional appropriation under section 3, Political affairs, of the programme budget for the biennium 2006-2007. The Advisory Committee recalls that the General Assembly, in its resolution 60/247 A, approved an amount of $355,949,300 for special political missions under section 3. Following the adoption by the Assembly of resolutions 60/248, 60/255 and 60/281, which fully allocated the provision and appropriated additional resources under the provisions of resolution 41/213, the total provision for special political missions under section 3 amounts to $375,015,000.

3. The report of the Secretary-General under consideration includes the requirements for a total of 27 special political missions emanating from decisions of the General Assembly and/or the Security Council. Out of this total, the requirements relate to 26 political offices, peacebuilding missions and sanctions panels authorized by the Security Council and 1 political mission authorized by the Assembly. In connection with the latter, the Committee recalls that the requirements for the Special Envoy of the Secretary-General for Myanmar were submitted to the Assembly in the context of the pertinent statement of programme budget implications (see A/C.5/61/14 and A/61/613); they are included in the report of the Secretary-General (A/61/525/Add.1), in line with the Committee's request to consolidate the overall resources for all special political missions (A/57/7/Add.17, para. 5).

4. The Advisory Committee recalls that resources approved for 2006 related to a total of 29 special political missions. The resources for 2007 for the 27 missions contained in the report of the Secretary-General reflect the discontinuation of the United Nations Office in Timor-Leste (UNOTIL), as it was transformed into a follow-on mission (peacekeeping operation) from 25 August 2006 (Security Council resolution 1704 (2006)), and the absence of requirements for the International Advisory and Monitoring Board, whose mandate was not expected to be extended. In its resolution 1723 (2006), however, the Security Council did extend the mandate, until December 2007; the related requirements will therefore be submitted at a later date (see A/61/525, para. 6). In addition, the Committee notes the anticipated establishment of the United Nations Integrated Office in Burundi, as a follow-on mission to the United Nations Operation in Burundi (see A/61/485, para. 19) and the dispatch of a technical assessment mission, with a view to proposing a developed concept of United Nations operations, including a political mission, to Nepal (see PRST/2006/49).

II. General considerations and recommendations

5. The Advisory Committee welcomes the improvements in the results-based budget submission for special political missions, as well as the presentation of the proposals in clusters on the basis of thematic consideration and the separate treatment of the larger missions — the United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations Assistance Mission for Iraq (UNAMI) — in view of their size and complexity, as requested by the Committee (see A/60/7/Add. 37, para. 11). The three thematic clusters are:

- I. Special and personal envoys, special advisers and personal representatives of the Secretary-General. The Committee notes that these are wholly administered by the Department of Political Affairs in terms of both political and administrative oversight (see A/61/525/Add.1 and paras. 13-23 below).
- II. Sanctions monitoring teams, groups and panels. These are administered by the Department of Political Affairs Security Council Affairs Division, with the Executive Office providing administrative support (see A/61/525/Add.2 and paras. 24-28 below).
- III. United Nations offices, peacebuilding support offices, integrated offices and commissions. This cluster includes mostly field missions led by the Department of Political Affairs but operationally administered by the Department of Peacekeeping Operations in cooperation with local United Nations Development Programme (UNDP) offices (see A/61/525/Add.3 and paras. 29-67 below), as well as the larger missions (UNAMA and UNAMI), which are led and administered by the Department of Peacekeeping Operations (see A/61/525/Add. 4 and 5 and paras. 68-90 below).

6. The Advisory Committee notes the efforts made in improving the presentation, which allows a certain comparison between the resources provided for 2006 with the request for 2007. **However, the Committee is of the opinion that there is room for further improvement in explaining the variances between appropriations and expenditures; in this regard, the inclusion of the most up-to-date performance data would allow a better analysis of the level of resources proposed by the Secretary-General. The Committee recalls that it had previously requested such data, especially for the larger missions, which should include the same type of information provided in the budgets of peacekeeping operations.**

7. The Advisory Committee notes that information is provided in the report of the Secretary-General (A/61/525, paras. 22-25) as to the policy and managerial guidance provided by the Department of Political Affairs to special political missions and the related oversight and accountability mechanisms, as requested by the Committee (A/60/7/Add. 37, para. 15). The Committee also welcomes the information provided in document A/61/525, paragraphs 10-21, as well as in the context of each mission, on the efforts to identify and achieve complementarities and synergies among the various missions, United Nations departments and other entities in the field. **The Committee reiterates, however, that information on staffing reviews or internal assessments should be included in the budget submission for special political missions.**

8. The Advisory Committee recalls that the General Assembly, in section I, paragraph 14, of its resolution 60/255, requested the Secretary-General to entrust the Office of Internal Oversight Services (OIOS) with conducting a review of the management of special political missions by the Department of Political Affairs, as outlined by the Advisory Committee (see A/60/7/Add.37, para. 16). The findings and recommendations of OIOS in this regard are contained in its report to the Assembly (A/61/357). The Committee notes that OIOS makes 15 recommendations to improve the management of special political missions; the Departments of Political Affairs and Peacekeeping Operations have generally accepted the recommendations (see ibid., sect. VI).

9. **Owing to time constraints, the Advisory Committee will revert to the report of OIOS in the context of its consideration of the proposed programme budget for 2008-2009. At this stage, however, the Committee points out that OIOS draws attention, inter alia, to the issue of overlap and duplication between the Department of Political Affairs and the Department of Peacekeeping Operations. This is a matter upon which the Committee has commented on several occasions, with requests that it be resolved expeditiously. The Committee expects identifiable progress (in particular, enhanced cooperation among the relevant departments) to be made and reflected in the proposed programme budget for 2008-2009. The Committee intends to follow up on this issue as well as others raised by OIOS.**

III. Specific recommendations on resource requirements

10. A summary of the estimated costs of activities of the 27 special political missions for 2007, with the periods covered in the proposed budget, mandates and expiry dates, is contained in table 1 of the report of the Secretary-General (A/61/525). The Advisory Committee notes that the majority of the special political missions have had their mandate extended or renewed into 2007. However, 10 of them have mandates expiring by the end of 2006, the assumption being that the Security Council will extend the mandates for periods similar to those approved in 2006.

11. The total estimated requirements for the period from 1 January to 31 December 2007 amount to $364,871,200, with the requirements for the two largest missions, UNAMA and UNAMI, accounting for over $237 million, or nearly 70 per cent of the total resources proposed. Furthermore, the total resources provided for 2006 amounted to $375,015,000, while expenditures are estimated at $279,392,200; an amount of $95,883,600 is therefore anticipated to remain unencumbered at the end of 2006. This is mostly accounted for by UNAMI ($70,283,400), as the full deployment and operations planned were curtailed in view of the security conditions on the ground. The Advisory Committee notes, therefore, that after taking into account the estimated balances expected to remain unencumbered for all of the missions at the end of 2006 ($95,883,600), the additional amount being sought for appropriation by the Secretary-General in respect of requirements for special political missions would amount to $268,987,600 net ($294,005,100 gross).

12. Staffing resources proposed for 2007 total 3,518 positions, as against 3,735 authorized for 2006. The two largest missions, UNAMA and UNAMI, account for

2,531 positions, or 72 per cent of the total proposed for 2007 (see A/61/525, table 3). The net decrease of 217 positions includes the decrease of 372 positions pertaining to UNOTIL, as it has been transformed into a peacekeeping operation, as well as an increase of 155 positions under continuing missions. **Detailed information and recommendations, where appropriate, are provided below.**

A. Thematic cluster I: special and personal envoys, special advisers and personal representatives of the Secretary-General

13. The resources proposed for cluster I for 2007 of $6,656,400 (1.8 per cent of total resources proposed) relate to seven special political missions, which include special and personal envoys, special advisers and personal representatives of the Secretary-General. The estimated requirements are summarized below.

(United States dollars)

Category	*Estimated requirement 2007*
Special Envoy of the Secretary-General for Myanmar	198 400
Special Adviser of the Secretary-General for Africa	175 500
Special Adviser of the Secretary-General on Cyprus	571 300
Special Adviser to the Secretary-General on the Prevention of Genocide	1 082 500
Personal Envoy of the Secretary-General for Western Sahara	352 800
Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004)	1 191 700
Personal Representative of the Secretary-General for Lebanon	3 084 200
Total, cluster I	**6 656 400**

14. The Advisory Committee notes that an amount of $5,108,100 was appropriated for 2006 for the special political missions included in cluster I, while expenditures are estimated at $2,888,900 (see A/61/525/Add.1, financial overview). Most of the underexpenditures relate to civilian personnel costs ($1,375,300). In this connection, the Committee notes that there were no special envoys in place for Myanmar and Cyprus in 2006, resulting in anticipated savings of $183,000 (compared to the budgeted provision of $205,500) and $375,000 (compared to the budgeted provision of $399,600) respectively. The resources proposed for 2007 for both missions ($198,400 and $571,300 respectively) assume that conditions on the ground will improve and that special envoys will be appointed. **The Committee has recommended approval of resources of up to $198,400 for the continuation of the good offices of the Secretary-General relating to the situation in Myanmar (A/61/613, para. 5). As for the requirements for the Special Adviser of the**

Secretary-General on Cyprus, the Committee recommends that the resources for 2007 be maintained at the level provided in 2006 ($399,600).

Personal Representative of the Secretary-General for Lebanon

15. The requirements for the Office of the Personal Representative of the Secretary-General for Lebanon for the period from 1 January to 31 December 2007 amount to $3,084,200. The resources appropriated for the Office for 2006 amounted to $1,615,400; expenditures for the period are estimated at $1,199,900. The estimated underexpenditures ($415,500) relate mostly to civilian personnel costs resulting from a higher vacancy rate than initially budgeted.

16. The resources proposed under civilian personnel costs for 2007 ($2,198,600) provide for salaries and common staff costs related to the 15 continuing and 14 new positions indicated below.

Recommendations on posts

17. *Upgrade of the existing Assistant Secretary-General-level position of the Personal Representative to Under-Secretary-General.* The upgrade of the position is proposed in view of the broadening of the functions of the Personal Representative, the increased responsibilities for all political issues in Lebanon, the functions as representative to the countries of the Core Group supporting the country's financial development and the role in mobilizing donor assistance and the management of a coordination mechanism to ensure post-conflict national reconstruction. **The Advisory Committee does not object to the upgrade of the position of the Special Representative to the Under-Secretary-General level.**

18. *Three additional positions for a Chief of Unit (P-5), a Coordination Officer (P-3) and an Assistant (national staff) for a Coordination Unit.* The Unit is proposed to be created in order to provide a dedicated capacity for policy guidance on aid coordination strategies in support of the role of the Office of the Personal Representative in the Core Group and to coordinate United Nations entities working in Lebanon on socio-economic development, reconstruction and reform. **The Advisory Committee recommends acceptance of the three additional positions for a Coordination Unit.**

19. *Two additional positions for an Administrative Officer (P-3) and a Driver (national staff).* The Administrative Officer position is requested to provide overall support in terms of administrative, financial, procurement and human resources activities to the Office of the Personal Representative. **The Advisory Committee recommends acceptance of the two additional posts.**

20. *Nine additional positions (national staff) for eight Security Officers and one Driver to strengthen close protection of the Personal Representative.* The Advisory Committee notes that the additional resources proposed take into consideration the assessed risk to the physical security of the Personal Representative and the urgent recommendation by the Department of Safety and Security in view of the deterioration in the security environment. **In view of the above, the Committee recommends acceptance of the positions for Security Officers.**

21. The proposed resources for operational costs for the Office amount to $856,600. The increase, as compared to the provision for 2006 of $491,900, takes into account requirements related to the proposed additional posts as well as

requirements to purchase armoured vehicles following recommendations of the Department of Safety and Security and higher costs under facilities and infrastructure and communications resulting from the relocation of the Office away from the premises of the Economic and Social Commission for Western Asia. **The Advisory Committee has no objection to the resources proposed.**

Special Adviser to the Secretary-General on the Prevention of Genocide

22. The proposed resources for the Special Adviser to the Secretary-General on the Prevention of Genocide for the one-year period ending 31 December 2007 amount to $1,082,500, compared to an appropriated amount of $874,700 for 2006; expenditures for 2006 are estimated at $640,100. The Advisory Committee was informed that the anticipated underexpenditure for 2006 was due mostly to reduced requirements under civilian personnel costs, as staff positions were either vacant or encumbered at lower levels, and the working days of the Special Adviser (on a when-actually-employed basis) are actually estimated at 96 working days, instead of the budgeted provision of 270, as well as a reduction in travel requirements attributable to the increased presence of the Special Adviser in New York.

23. Most of the increase in the resources proposed for 2007 relates to civilian personnel costs ($714,100), which provide for the salaries and common staff costs of the Special Adviser at the Assistant Secretary-General level, as well as three staff, comprising one Political Affairs Officer (P-4), one Human Rights Officer (P-4) and one Administrative/Research Assistant (General Service (Other level)). However, the Advisory Committee notes that, for 2007, it is proposed that the common staff costs related to the Special Adviser be converted from a when-actually-employed appointment to a fixed-term appointment under the 100 series of the Staff Rules; the requirements now cover a 12-month period. The Committee was informed that after two years of operations, it had been demonstrated that the full-time dedication of the Special Adviser was needed in order to ensure continuous high-level liaison with United Nations entities, regional organizations and academic and non-governmental bodies. **The Advisory Committee points out the need for regular coordination between the Office of the Special Adviser, the Office of the United Nations High Commissioner for Human Rights and, as applicable, other relevant United Nations bodies.**

B. Thematic cluster II: sanctions monitoring teams, groups and panels

24. The resources proposed for cluster II for 2007 of $20,532,200 (5.6 per cent of the total resources) relate to eight special political missions, which include the sanctions monitoring teams, groups and panels emanating from the decisions of the Security Council. They are summarized below.

(United States dollars)

Category	*Estimated requirement, 2007*
Panel of Experts on Liberia	1 318 700 (for 10 months)
Group of Experts on Democratic Republic of the Congo	1 423 500 (for 9.5 months)
Panel of Experts on the Sudan	1 823 600 (for 10 months)
Group of Experts on Côte d'Ivoire	1 223 600 (for 10 months)
Analytical Support and Sanctions Monitoring Team established pursuant to Security Council resolution 1526 (2004) concerning Al-Qaida and the Taliban and associated individuals and entities/Special Envoy of the Secretary-General for the implementation of Security Council resolution 1559 (2004)	3 648 800 (for 12 months)
Monitoring Group on Somalia	1 186 100 (for 10 months)
Counter-Terrorism Committee Executive Directorate	7 718 800 (for 12 months)
Total, cluster II	**20 532 200**

25. Resources amounting to $20,111,000 were appropriated for 2006 for the panels and teams included under cluster II; related expenditures are estimated at $18,585,300 (see A/61/525/Add.2, financial overview). The Advisory Committee notes that savings of $625,300 are estimated for the Monitoring Group on Somalia for 2006, out of an appropriated amount of $1,626,600; this mostly resulted from the fact that the appropriation was based on the budgeted costs for 12 months, while the actual operations covered a 10-month period. The resources proposed for 2007 ($1,186,100) are therefore based on experience during 2006 and a similar 10-month period of operation.

26. The resources proposed for the Group of Experts on Côte d'Ivoire for 2007 ($1,223,600) provide for the overall requirements of the Group for 9.5 months of operation and take into account the expansion of the membership from 3 to 5 members, as approved by the Security Council in its resolution 1643 (2005). The Committee notes that the expenditures of $956,800 for the period from 1 January to 31 December 2006 are estimated to exceed the appropriated amount of $700,700, in view of the fact that the budget provided for requirements related to only three members. Taking this shortfall into account, the overall requirements proposed for 2007 amount to $1,479,700 net ($1,494,700 gross).

27. The resources proposed for the Counter-Terrorism Committee Executive Directorate for 2007 amount to $7,718,800. An amount of $7,475,500 was appropriated for 2006, while expenditures are estimated at $7,205,900. The Advisory Committee recalls that the Directorate was established by the Security Council in its resolution 1535 (2004) as a special political mission for a period ending 31 December 2007. Following its initial review in December 2005, the Council decided to conduct another annual review in December 2006 as a prelude to its formal decision about the future of the Directorate in December 2007 (S/PRST/2005/64). The Committee was informed that the review would be conducted by the end of 2006.

28. The Advisory Committee notes that the requirements for official travel are estimated at $798,900 for 2007 (an increase of $95,000 over the resources approved for 2006). The Committee was informed this was attributable mostly to travel costs associated with the implementation of the full programme of work, in particular the fifth special meeting, to be held in Africa. The Committee notes that this type of expense has been funded from extrabudgetary resources in the past. Upon enquiry, the representatives of the Secretary-General indicated that extrabudgetary funds were not yet forthcoming. **The Committee encourages further efforts to obtain the necessary extrabudgetary resources for this purpose; should such funds fail to materialize, the requirements should be reflected in the second performance report on the programme budget for the biennium 2006-2007.**

C. Thematic cluster III: United Nations offices, peacebuilding support offices, integrated offices and commissions

29. The resources proposed for 2007 for the 10 special political missions under cluster III, amounting to $337,682,600, represent 92.6 per cent of the total resources. This cluster includes United Nations offices, peacebuilding support offices, integrated offices and commissions (see A/61/525/Add.3). They are summarized below.

(United States dollars)

Category	*Estimated requirement, 2007*
Office of the Special Representative of the Secretary-General for West Africa	4 472 000
United Nations Peacebuilding Support Office in the Central African Republic	6 071 900
United Nations Peacebuilding Support Office in Guinea-Bissau	3 467 700
United Nations Political Office for Somalia	6 759 900
United Nations Tajikistan Office of Peacebuilding	2 207 800
Office of the Special Envoy of the Secretary-General for the future status process for Kosovo	6 727 700
United Nations Integrated Office in Sierra Leone	30 564 000
Cameroon-Nigeria Mixed Commission	9 303 000
International Independent Investigation Commission	29 116 800
Office of the Special Representative of the Secretary-General for the Great Lakes Region	2 064 200
Total, cluster III	**100 755 000**

30. The proposed requirements and budgetary details for UNAMA and UNAMI are provided in separate reports (see A/61/525/Add. 4 and 5; see also sections IV and V below).

31. The Advisory Committee notes that an amount of $90,864,600 was appropriated for the missions in cluster III for 2006; related expenditures are

estimated at $72,209,700. Most of the estimated reduced requirements relate to the International Independent Investigation Commission ($7,896,600), resulting from higher vacancy rates than anticipated, as a result of the situation in Lebanon and fewer hazardous duty allowances; the United Nations Political Office for Somalia ($3,082,900), owing to higher than anticipated vacancy rates and the limited presence of staff, as well as reduced requirements under operational costs, resulting from the impossibility of relocating to Somalia in view of the security conditions; the Cameroon-Nigeria Mixed Commission ($2,446,100), resulting mostly from the delayed deployment of a fixed-wing aircraft and helicopter owing to delays in the procurement process and the delayed deployment of civilian observers; the United Nations Peacebuilding Support Office in the Central African Republic ($1,524,600), owing mostly to delays in the recruitment of international and national staff, the late opening of the Bambari regional office and lower than anticipated costs for Security Services; and the Office of the Special Envoy of the Secretary-General for the future status process for Kosovo ($1,382,500) in view of the delayed deployment of staff and the encumbrance of some positions at lower levels than budgeted and underexpenditures in relation to operational costs, in view of the provision at no cost of consultancy services by the members of the Contact Group and the provision of interpretation and translation services by the United Nations Interim Administration Mission in Kosovo, and the reduced acquisition of communications and information technology equipment.

Office of the Special Representative of the Secretary-General for West Africa

32. The Advisory Committee notes that the Security Council extended the mandate of UNOWA for three years, until 31 December 2007, subject to a mid-term review in 2006 (S/2004/858). The review is to be completed by the end of 2006 (A/61/525/Add.3, para. 1.3).

33. The resource requirements for the Office of the Special Representative of the Secretary-General for West Africa amount to $4,472,000 for the period from 1 January to 31 December 2007. The Advisory Committee notes that an amount of $4,116,700 was appropriated for the Office for 2006 and that expenditure for the period is estimated at $3,199,900. The Committee was informed that the underexpenditure was due mostly to reduced requirements under operational costs in view of the delayed deployment of the mission's fixed-wing aircraft and fewer missions than anticipated undertaken by consultants.

34. Provision is made for a Military Adviser position ($65,400) to cover issues related to the mandate and focus on military-related issues in the region and cooperation issues. The change compared to the resources approved for 2006 ($56,200) reflects the full incumbency projected for 2007.

35. The civilian staffing component provides for the continuation of 26 positions (9 Professional, 2 Field Service/Security Service, 1 General Service and 14 national staff). One new position is proposed for an Information Technology Officer (Field Service), who would act as network administrator and manage information technology systems equipment and related security. **The Advisory Committee recommends acceptance of the Field Service position for an Information Technology Officer.** The Committee notes that a senior-level position, previously seconded by UNDP to serve as Director of the Office, is discontinued for 2007.

36. The operational costs proposed for 2007 ($2,516,800) include a provision of $1,104,000 for the rental of a fixed-wing aircraft. The Advisory Committee recalls that these requirements are under a cost-sharing arrangement with the Cameroon-Nigeria Mixed Commission. The increase compared to the appropriation for 2006 ($852,000) reflects higher flight-hour costs for 2007.

United Nations Peacebuilding Support Office in the Central African Republic

37. The Advisory Committee recalls that the Peacebuilding Support Office was established in February 2000 subsequent to the withdrawal of the United Nations Mission in the Central African Republic. Its mandate has been extended on an annual basis, most recently until 31 December 2006 (S/2005/759). The Committee notes that the authorities of the Central African Republic have requested the renewal of the mandate until December 2007 (A/61/525/Add.3, para. 2.8).

38. The resources proposed for 2007 for the Office are estimated at $6,071,900, compared to the amount of $6,461,900 appropriated for 2006. Underexpenditures of $1,524,600 are anticipated for 2006, mostly as a result of reduced costs for civilian personnel, in view of delays in the recruitment of international and national staff.

39. The requirements for civilian personnel costs proposed for 2007, amounting to $4,292,000, reflect a decrease compared to the resources approved for 2006 ($4,492,800). They provide for the continuation of 87 staff positions, including 28 international staff (1 Assistant Secretary-General, 1 P-5, 4 P-4, 3 P-3, 4 P-2, 6 Field Service and 9 General Service), 55 local staff and 4 United Nations Volunteers. The decrease in the requirements is due mostly to the reduction of three international staff positions (2 P-2 and 1 General Service (Other level)), on the basis of a review of the staffing needs of the Office and the absorption of the functions by the remaining staff and an increase in the related vacancy factor to 15 per cent in 2007 (compared to 10 per cent in 2006).

40. The proposed staffing table includes the addition of a Gender Affairs Officer (P-3), to support the integration of gender perspectives in all work components of the Office and ensure advice and support for Government counterparts, to be accommodated by utilizing an existing P-3 position in the Office, as well as three new communications and information technology positions (Local level) to cover functions for each sub-office outside of Bangui (Bouar, Bossangoa and Bambari). **The Advisory Committee recommends acceptance of the Gender Affairs Officer position (P-3) and of the three communications and information technology positions (Local level) proposed.**

41. The requirements for operational costs ($1,270,900 for 2007, compared to $1,082,500 for 2006) include a provision for non-recurrent costs ($503,100) in order to replace obsolete and acquire new communications equipment, which is critical in supporting logistical requirements and putting in place mandated safety measures, as well as replace information technology equipment.

United Nations Peacebuilding Support Office in Guinea-Bissau

42. The Advisory Committee notes that the resources proposed for 2007 for the United Nations Peacebuilding Support Office in Guinea-Bissau amount to $3,002,800 (compared to an amount of $3,218,700 appropriated for 2006).

43. The civilian personnel costs of $2,520,500 (compared to the 2006 appropriation of $2,154,400) provide for a total of 30 staff positions, including 14 international and 15 national staff and 1 United Nations Volunteer. A new position for a Gender Affairs Officer (P-3) is proposed to be established to support the integration of gender perspectives in all work components of the Office and to advise and support Government counterparts, among other things (ibid., para. 3.15). **The Advisory Committee recommends acceptance of the position for a Gender Affairs Officer (P-3).** The Committee further notes that it is also proposed to convert a Human Rights Officer position from P-2 to the National officer level. **The Committee recommends acceptance of this conversion to the National level.**

United Nations Integrated Office in Sierra Leone

44. The Advisory Committee recalls that the United Nations Integrated Office in Sierra Leone (UNIOSIL) was established by the Security Council in its resolution 1620 (2005) to assist the Government, after the withdrawal of the United Nations Mission in Sierra Leone at the end of 2005, to consolidate peace, address the root causes of conflict, strengthen security and sustain development in Sierra Leone. The Committee notes that an integrated model was chosen for this mission after consultation among all parties; the Executive Representative of the Secretary-General serves as the UNDP Resident Representative and the United Nations Resident Coordinator, assuring leadership, coordination and management of an integrated presence comprising the substantive pillars of peace and governance, human rights, and security and public information.

45. The proposed requirements for UNIOSIL for 2007 amount to $30,564,000, reflecting an increase as compared with the appropriation of $23,276,000 for 2006. Taking into account the unencumbered balance of $650,800 for 2006, the net requirement for 2007 would amount to $29,913,200 and provide for 14 military liaison officers, 29 civilian police officers and a staffing complement of 337 positions. From the additional information provided, the Advisory Committee notes that resource requirements under information technology would increase considerably, from $338,800 appropriated in 2006 to $590,500 in 2007, largely for the rental of photocopying equipment related to the monitoring of electoral processes ($159,100), and for spare parts and supplies ($150,000) and information technology services ($99,800).

46. An amount of $14,738,800 under civilian personnel provides for the costs related to a proposed staffing component of 337 (89 international staff, 17 National Officers, 190 Local-level staff and 41 United Nations Volunteers). In estimating the staffing requirements, a vacancy factor of 10 per cent has been applied for international staff and United Nations Volunteers, while none was applied for national staff, since all Local-level positions have been filled. The Advisory Committee notes that 39 additional positions are proposed in connection with the presidential and parliamentary elections scheduled for July 2007 and to strengthen the Office of the Executive Representative of the Secretary-General and the administration. As indicated in paragraph 7.15 of the report of the Secretary-General (A/61/525/Add.3), only 28 of those positions would be required for the period from 1 January to 30 September 2007. The remaining 11 positions would be staffed until 31 December 2007.

Recommendations on posts

(a) Staffing increases in connection with the elections (22 positions)

47. *Addition of 3 Electoral Affairs Officer (P-3) and 16 Electoral Assistant positions (United Nations Volunteers), Peace and Governance Section.* The Electoral Affairs Officers would provide support and assistance in the areas of electoral procedures and training, voter education, field coordination and external relations, as well as advise officials of the National Electoral Council and members of the political party registration commission and provide assessments of progress. The Electoral Assistants would ensure an electoral presence in the field, with two of them located at Headquarters to provide liaison and coordination and produce updates and reports. **The Committee recommends acceptance of these positions.**

48. *Increase of two Information Assistant positions (Local level), Public Information Section.* One assistant would collaborate with the electoral authorities and the United Nations Coordination Group in researching and compiling voter and polling officer education and information material, preparing Internet publications and disseminating information materials; the other would assist in website content management. **The Committee recommends approval of the Information Assistant positions.**

49. *Increase of one Administrative Assistant position (Local level), Human Rights Section.* The incumbent would provide support in the preparation of training materials and coordination of the logistical requirements related to the training of Sierra Leone police officers in human rights to enhance their capacity and facilitate participation by all citizens in the electoral process. **The Committee recommends approval of this position.**

(b) Other staffing increases (17 positions)

50. *Increase of two positions (P-4) for a Best Practices Officer and a Gender Adviser, Office of the Executive Representative of the Secretary-General.* The Best Practices Officer would be responsible for collecting lessons learned and identifying best practices in connection with elections, supporting their incorporation into training and planning surveys and supporting the dissemination of policy guidance, lessons and experience. The Gender Adviser will support the integration of such a perspective in the policies and activities of the mission and the country team, ensuring the full participation of women in all stages of the peace process and in humanitarian assistance and post-conflict reconstruction and rehabilitation programmes. **The Committee recommends acceptance of these positions.**

51. *Increase of 15 positions (2 Field Service, 12 Local level and 1 United Nations Volunteer) in the administrative component.* It is proposed to establish a Procurement Assistant position (Field Service) for a Deputy to the Chief Procurement Officer in the Procurement Section; an Invoice-Processing Assistant position (Local level) in the Finance Section; an Asset Manager and Warehouse Supervisor position (Field Service) to be assisted by two Warehouse Assistants (Local level) for the management and engineering of information technology equipment and asset control; 4 Communications and Information Technology Assistant positions (1 United Nations Volunteer and 3 Local-level staff) to be deployed to provide support in the regional locations; and positions for 2 Generator

Mechanics, 2 Heavy-truck Drivers and 2 Dispatch Drivers (Local level). **The Committee recommends acceptance of these positions.**

52. The Advisory Committee also notes that following the inclusion of Sierra Leone in the agenda of the Peacebuilding Commission, UNIOSIL envisages expanded collaboration on various aspects of peace consolidation (see A/61/525/Add.3, para. 7.8). **The Committee recommends inclusion in the next budget submission of detailed information as to the concrete plan of action and, if applicable, measures taken in this context.**

Cameroon-Nigeria Mixed Commission

53. The Advisory Committee recalls that on 10 October 2002, the International Court of Justice issued its irrevocable judgment on the entire land and maritime boundary between Cameroon and Nigeria in respect of the case of the border dispute brought before it by Cameroon in 1994. The Mixed Commission, composed of Cameroon, Nigeria and the United Nations, was established by the Secretary-General at the request of the leaders of Cameroon and Nigeria to follow up on the Court's ruling. The Commission's mandate includes supporting the demarcation of the land and maritime boundaries and facilitating the withdrawal of Nigerian troops from the Bakassi Peninsula. Following the successful transfer of authority in the Lake Chad area in 2003 and in the land boundary in 2004, an agreement concerning the Bakassi Peninsula was signed by the Presidents of the Republic of Cameroon and of the Federal Republic of Nigeria on 12 June 2006, in Greentree, United States of America. The agreement provides for a follow-up committee, composed of representatives of the parties and the United Nations, with Germany, France, the United Kingdom of Great Britain and Northern Ireland and the United States as the witness States to the Agreement. Accordingly, the Mixed Commission has established a follow-up committee to monitor implementation of the Greentree Agreement.

54. The estimated resource requirements for the period from 1 January to 31 December 2007 would amount to $9,303,000, comprising $126,300 for military observers, $2,603,700 for civilian personnel and $6,573,000 for operational costs. The Advisory Committee notes that the estimated expenditure for 2006 amounts to $5,035,400, against an appropriation of $7,481,500, leaving an unencumbered balance of $2,446,100. The overall net requirements for 2007, taking into account the unencumbered balance, would amount to $6,856,900.

55. The Advisory Committee received additional information on the variance between the appropriation and actual expenditure for 2006 showing that the reduced requirements under civilian personnel ($1,565,900) were attributable to higher than budgeted vacancy rates. Under operational costs, the unencumbered balance of $3,375,000 resulted mainly from the delayed deployment of a fixed-wing aircraft and a helicopter.

56. The resources proposed for civilian personnel costs amount to $2,603,700 for 2007 (as compared with the amount of $2,270,200 appropriated for 2006) and provide for a staffing establishment of 23 positions (17 international and 6 local level). They reflect an increase of three positions on a "when actually employed" contractual basis for two positions at the Under-Secretary-General level for a maximum of 90 days, for a Chairperson and one member of the Follow-up Committee, to be supported by a consultant budgeted at the D-2 level, on the same

contractual basis, but for 75 days, to support the Committee in military, security, social and economic issues pertaining to the transfer of authority in the Bakassi area. **The Advisory Committee recommends acceptance of the proposal.**

57. It is also proposed to establish a position for an Air Operations Specialist (P-4) by reclassifying an existing P-3 political affairs position to that level. The functions would ensure compliance with United Nations policies and directives and standards of the International Civil Aviation Organization. **The Advisory Committee has no objection to the reclassification of the P-3 position to the P-4 level for an Air Operations Specialist.**

United Nations International Independent Investigation Commission

58. The Advisory Committee recalls that in its resolution 1595 (2005), the Security Council established the International Independent Investigation Commission, based in Lebanon, to assist the Lebanese authorities in their investigation of all aspects of the 14 February 2005 bombing in Beirut. The Council subsequently extended the mandate of the Commission until 15 June 2007 by its resolution 1686 (2006). At that time, the Council also broadened the mandate of the Commission, authorizing it to extend technical assistance to the Lebanese authorities with regard to their investigations of the other attacks perpetrated in Lebanon since 1 October 2004, as appropriate. The Council requested the Secretary-General to provide the Commission with the support and resources needed in that regard. Subsequently, the Commission was requested to provide similar assistance for a further investigation (S/2006/915).

59. The Commission's work has been marked by a series of unpredictable external events, including the hostilities of August 2006, which caused its temporary relocation to Cyprus. The Advisory Committee notes that the Commission has established extensive cooperation with the Economic and Social Commission for Western Asia, the United Nations Interim Force in Lebanon, the United Nations Information Centre in Beirut and other United Nations entities present in Beirut, which provide logistical support and personnel on a reimbursable loan basis. The Commission also maintains contact with the International Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, the International Criminal Court, the European Union, the European Police Office and the International Criminal Police Organization for expert advice and other assistance in the investigation. Furthermore, the Government of Lebanon covers the cost for actual office space made available to the Commission, including utilities and maintenance, at an estimated value of $2,400,000.

60. The estimated resource requirements for the period from 1 January to 31 December 2007 amount to $29,116,800, comprising $24,181,200 for civilian personnel and $4,935,600 for operational costs. The Advisory Committee notes that the estimated expenditure for 2006 amounts to $18,415,600, against an appropriation of $26,312,200, leaving an unencumbered balance of $7,896,600. The overall net requirements for 2007, taking into account the unencumbered balance, amount to $21,220,200.

61. The Advisory Committee received additional information on the variance between the appropriation and actual expenditure for 2006 showing that reduced requirements under civilian personnel ($8,032,700), attributable to the higher than anticipated vacancy rates resulting from the situation in Lebanon and a lower

number of hazardous duty payments, were only partly offset by additional expenditure incurred under operational costs ($127,100) in connection with the evacuation to Cyprus.

62. The staffing complement of 239 positions comprises 188 international staff and 51 national staff, including 4 National Officers, reflecting an increase of 13 international and 1 Local level position. The following positions are proposed to be established:

Recommendations on posts

63. *Addition of two P-4 and three P-3 positions.* These posts are requested to support increased activities related to investigations.

64. *Addition of one Field Service position.* This position is requested for the strengthening of the Security Section.

65. *Addition of seven Field Service and one Local level position.* These posts are requested for the provision of additional administrative support.

66. *The conversion of two positions from General Service to Field Service.* These positions are located in the Investigations Division, and their conversion is requested to strengthen the data management capabilities of the Operational Support Section within the Division.

67. **The Advisory Committee recognizes that the workload of the Commission has increased as a consequence of its broadened mandate, including the provision of technical assistance to the Lebanese authorities with regard to their investigations of the other attacks perpetrated in Lebanon since 1 October 2004. It therefore recommends acceptance of the Secretary-General's proposals.**

IV. United Nations Assistance Mission in Afghanistan

68. The Advisory Committee recalls that the Security Council, in its resolution 1662 (2006), decided to extend the mandate of UNAMA for an additional 12-month period, ending on 23 March 2007. The Mission maintains its current presence of 8 fully integrated regional offices and 11 provincial offices. However, as indicated by the Secretary-General in his report (A/61/525/Add.4, para. 3), the deterioration of the security situation (particularly in the south and south-east) is of fundamental concern.

69. The resource requirements for UNAMA for the period from 1 January to 31 December 2007 are estimated at $74,169,900 gross ($67,532,900 net). For 2006, resources amounting to $65,575,600 were approved for UNAMA; expenditures of $62,375,200 are anticipated for the period (see A/61/525/Add.4, table 3). The underexpenditure of $3,200,400 is mostly the result of reduced costs under civilian personnel as a result of higher than budgeted vacancy rates owing to difficulties in recruiting and deploying staff in the light of the security situation. Upon enquiry, the Advisory Committee was informed that the average vacancy rate for 2006 was 26 per cent for international and 22 per cent for national staff.

70. The proposed resources for 2007 would provide for the costs of military and police personnel ($891,600), including 1 Military Adviser, 17 Military Liaison

Officers and 3 Civilian Police Advisers (see A/61/525/Add.4, table 1 and para. 11); civilian personnel costs ($42,842,100), including a staffing component of 1,517 civilian staff (283 international staff, 171 National Officers, 1,030 local staff and 33 United Nations Volunteers); operational costs ($22,994,600); and other programme costs ($804,600).

71. The Advisory Committee notes that the provision for military personnel costs ($769,900) reflects the requirements related to the deployment of 18 military observers for 2007, as compared with 13 in 2006. The provision for civilian police costs ($121,700) reflects the reduced requirements related to the deployment of three civilian police in 2007, compared to eight from January to March 2006 and four in the period from April to December 2006.

72. The resources proposed under civilian personnel ($42,842,100) reflect the proposed increase of seven international positions (1 P-5, 6 Field Service and 1 United Nations Volunteer), as well as the reclassification of a P-5 position to the D-1 level, and take into account a 25 per cent vacancy factor for both international and national staff. No vacancy factor is applied for United Nations Volunteers. The additional positions proposed for 2007 are summarized below.

Recommendations on posts

73. *Addition of one P-5 position for a Senior Police Adviser, Civilian Police Advisory Unit, Pillar I.* As indicated by the Secretary-General in his report (A/61/525/Add. 4, para. 15), the Unit currently comprises four civilian police advisers, one of which is the Senior Police Adviser, and one Language Assistant at the local level. The creation of a staff position is proposed to better assist the Mission in the long term in implementing its mandate and also to enable the recruitment of personnel with the right expertise. It is indicated that three civilian police advisers will remain in the Mission. **The Advisory Committee recommends acceptance of the additional position for a Senior Police Adviser.**

74. *Addition of one position for a Human Rights Database Manager (United Nations Volunteer), Human Rights Unit, Pillar I.* The position is proposed in order to strengthen the Unit and manage the human rights database with the objective of transferring information to the national counterpart institution at the end of the mandate of the Mission and to provide analytical reports to the Chief of the Unit and the Deputy Special Representative of the Secretary-General. **The Advisory Committee recommends approval of the additional position for a Human Rights Database Manager.**

75. *Addition of six positions for Close Protection Officers (Field Service/Security Service), Security.* The additional positions are requested to strengthen the close protection of the two Deputy Special Representatives of the Secretary-General, in view of the current security environment and the impossibility of meeting this demand from the team of the Special Representative in its current structure. **The Advisory Committee recommends acceptance of the additional six positions for the Close Protection Officers.**

76. *Reclassification of the position of the Head of the Kandahar regional office from the P-5 to the D-1 level.* The Committee recalls that the reclassification of this position was submitted for 2006, along with that for the Herat regional office (see A/60/585/Add. 3, para. 56). It is now resubmitted in view of the coverage of scope

and sensitivity of the Kandahar regional office, on the basis of a review of the province and the complex security situation and the need for specialized skills given the level of interaction and mandate implementation in the region and its subregional offices. **The Advisory Committee recommends acceptance of this proposal.**

Operational costs

77. The requirements under operational costs are estimated at $22,994,600 for 2007, as compared with the appropriation of $24,335,300 for 2006. The Advisory Committee notes that the decrease is mostly due to reduced requirements under several budget items, in view of the equipment or materiel which was acquired during 2006 (see A/61/525/Add.4, table 3). However, increases are reflected in the proposed requirements for air transportation ($1,851,700 over the resources of $7,580,200 approved for 2006) resulting from the proposed expenditures for helicopters for a 12-month period in 2007 (instead of 6-month requirements budgeted in 2006) as well as higher contract and operating costs resulting from the associated risks and security concerns in the area of operation; and for information technology ($34,900 over the resources approved for 2006 of $1,449,300) for software and operating system licence fees relating to the acquisitions in 2006.

V. United Nations Assistance Mission in Iraq

78. The estimated requirements for the operation of UNAMI for the period from 1 January to 31 December 2007 amount to $169,394,700, which is slightly lower than the 2006 appropriation of $173,156,700. Expenditures for 2006 are estimated at $102,873,300, reflecting a budget implementation rate of approximately 60 per cent. Taking into account the unencumbered balance of $70,283,400, the net requirement for 2007 would amount to $99,111,300. The Advisory Committee recalls that in the 2004-2005 period, the appropriation of $176,576,000 also exceeded expenditures ($134,345,800) significantly, by some 25 per cent.

79. Upon enquiry, the Advisory Committee was provided additional information on the estimated variance of $70,283,400 between the appropriation and estimated expenditures for 2006. Reduced expenditure of $40,935,500, under operational costs, was attributable to delays in the operational deployment plan of the Mission, the non-establishment of the Kirkuk area office, the postponement of the UNAMI headquarters construction project and delays in contracting dedicated air assets and related aviation equipment owing to difficulties in identifying suitable vendors. Under military and police personnel, the variance ($15,304,300) was attributable to the non-deployment of United Nations Guards to the proposed Kirkuk area office, the delayed deployment of Guard Units to Baghdad and Basra, and a reduction in the costs of logistics and life support services (accommodation, meals, laundry, fuel, waste removal, cleaning, bottled water, etc.) resulting from the renegotiation of local catering contracts on improved terms. Further savings under civilian personnel resulted from high vacancy rates for civilian personnel, which stood at 42 and 31 per cent in December 2006, compared to the budgeted rates of 25 and 15 per cent for international and national staff respectively. In this connection, the Advisory Committee was informed that staff ceilings for civilian personnel in all locations in Iraq had also been considerably restricted to approximately two thirds of the budgeted levels.

80. The mandate of UNAMI, as defined in Security Council resolution 1546 (2004), was extended for a further period of 12 months, until August 2007, by the Security Council in its resolution 1700 (2006). The Advisory Committee notes that the proposed budget for 2007 was established on the basis of the revised concept of operations for the United Nations presence in Iraq and on the assumptions outlined by the Secretary-General in his report (see A/61/525/Add.5, para. 6), which anticipate that constitutional, electoral and other substantive activities in the political, humanitarian, development, reconstruction and human rights areas will gain momentum and be increased. However, given the continuing challenges posed by the security situation (see para. 88 below), UNAMI will continue to implement its tasks as circumstances permit and remain subject to constraints arising from prevailing security conditions. In this connection, the Committee notes that according to the revised concept of operations, international staff are based outside the country, in Kuwait and Amman, to fulfil as many of the tasks that cannot be performed by national staff as possible, including through temporary visits inside Iraq, as security conditions permit.

81. The requirements under military and police personnel amount to $16,037,400 and provide for 8 military liaison officers deployed to Baghdad, Basra, Erbil and Kirkuk and 298 guard unit personnel, including 223 existing personnel and an additional 75 who are yet to be deployed. The decrease of $13,645,000 from the 2006 appropriation of $29,682,400 is essentially attributable to reduced requirements for life-support services and reduced estimates for travel costs, established on the basis of expenditure patterns for 2006.

82. The civilian personnel requirements ($75,762,200) provide for a staffing component of 1,014 positions (463 international and 551 national), reflecting a net increase of 76 positions, comprising 57 international and 19 national positions. Table 3 of the report of the Secretary-General provides a summary of the 2006 and proposed 2007 staffing levels by location, showing that authorized levels of international staff would increase in Baghdad (31), Erbil (15) and Kuwait (15) and decrease in Amman (2) and in Kirkuk (25). As for local posts, their number would be augmented in Baghdad (30) and in Kuwait (22) and reduced in Basra (13), Erbil (6), Kirkuk (14) and Amman (1). The authorized post levels of the Kirkuk area office, which could not be established in 2006, would be considerably reduced, by a total of 38 positions from a total of 85 foreseen under the budget for 2006 to 47 in 2007.

83. The Advisory Committee notes that in addition to the 76 new positions to be established, the Secretary-General is proposing a series of redeployments, which are set out in summary form by office in annex II to his report. The Committee welcomes the efforts to adapt the structure of the Mission to emerging requirements and to redeploy resources where they are most needed. The Committee requested additional information on the distribution of the posts of each office by location (see annex).

84. With respect to the new positions proposed to be established, the Advisory Committee notes that the deployment of many of the positions is contingent upon the launching of related activities; for example, engineers and electricians would be required if the planned construction projects were to be executed, electoral officers would have to be deployed if elections were to be planned, and security officers for the Kirkuk office would be necessary if that office were to be established. **In the**

light of the difficult security situation (see para. 88 below), the Advisory Committee requests that the recruitment and deployment of such staff be carefully planned and phased on the basis of operational requirements. Care should be taken to ensure that staff recruited for specific functions are not brought on board before conditions permit them to carry out their work.

85. The Advisory Committee notes that staffing costs have been calculated on the basis of a vacancy rate of 35 per cent for international staff and 25 per cent for national staff, and include a provision for the special Iraq allowance. The Committee was informed that the special Iraq allowance, implemented since 1 July 2005, continued to be an effective tool for reducing the vacancy rate of the international staff of UNAMI.

86. The estimated operational requirements for 2007 amount to $76,118,100, of which $34,217,900 consists of non-recurrent costs, representing an increase of $49,788,600 over the estimated expenditures for 2006. The Advisory Committee notes that the appropriation for 2006 totalled $67,265,400. Those expenditures relate mainly to construction services for the Mission headquarters and the residence of the Special Representative of the Secretary-General in Baghdad, the acquisition and replacement of vehicles, including, inter alia, 64 armoured vehicles and 12 heavy-armoured sedans, the establishment of the Kirkuk area office and the acquisition of communications and other equipment.

87. Concerning air transportation, the Advisory Committee notes that the proposed resources ($17,694,600) would provide for the rental and operations of two fixed-wing aircraft and two helicopters. The Committee was informed that after numerous appeals, UNAMI had received an offer for the provision of one fixed-wing C-130 aircraft from the Government of Denmark for a period of six months and that efforts to secure arrangements for the remaining aircraft were ongoing; UNAMI was hopeful that a suitable arrangement could be concluded in the course of 2007. **The Committee reiterates its concerns with respect to the need for adequate air transportation facilities in view of their importance for the operations of the Mission and the functions of its staff. It urges the Secretariat to pursue its search for an acceptable arrangement and to renew its discussions with the Multinational Force in order to seek the continuation of previous arrangements (see A/60/7/Add.37, para. 26).**

88. As noted in paragraph 78 above, the total resources requested for 2007 remain at the same level as the appropriation for 2006, and an additional 76 new posts are proposed to be established. The additional requirements for the positions to be established are offset by the application of higher vacancy rates for international and national staff in 2007 (35 and 25 per cent, respectively) as compared with 2006 (25 and 15 per cent, respectively), and reduced expenditures under military and police personnel, which decreased from some $29 million in 2007 to $16 million in 2006. The Advisory Committee notes that it is estimated that the unencumbered balance for 2006 will amount to some 40 per cent of the appropriation, higher than the 25 per cent level of underexpenditure recorded for the 2004-2005 period. Vacancy rates also remain high, at 42 per cent for international and 31 per cent for national staff. In this connection, the Committee recognizes the impact of the deteriorating security situation on the organization's ability to carry out its activities. The Committee also notes that in his report to the Security Council on the activities of UNAMI dated 5 December 2006 (S/2006/945), the Secretary-General indicated that

should the security situation deteriorate further, the viability of maintaining a significant United Nations presence in Iraq might be called into question.

89. In the light of the foregoing, the Advisory Committee held in-depth discussions with the representatives of the Secretary-General with respect to the assumptions on the basis of which the 2007 budget proposals had been established (see A/61/525/Add.5, para. 6). It questioned whether those assumptions were not overly optimistic and whether increased substantive and other activities, such as the establishment of the Kirkuk area office and construction projects, could realistically be undertaken and completed during 2007. In this regard, the Committee was informed that the Secretary-General's report to the Security Council, which is updated on a quarterly basis, reflected a "snapshot" of the period from 1 September to 5 December 2006, during which the situation had effectively deteriorated; the budget proposals however, were established on the basis of a longer-term perspective and a middle-ground scenario of the expected security situation.

90. **Nevertheless, the Advisory Committee is concerned that UNAMI continues to have large unencumbered balances. This would, in ordinary circumstances, indicate unrealistic budgetary assumptions and a trend towards overbudgeting. The Committee is of the view that UNAMI should make budgetary assumptions taking into account the prevailing environment, expenditure trends and an analysis of the causes of variances between appropriations and actual expenditures. The Committee urges UNAMI to closely monitor budget implementation during 2007 and to adjust its assessment of the activities to be undertaken continuously as the situation evolves. A tailored, phased approach towards recruitment and the deployment of resources should be adopted accordingly. Bearing in mind the pattern of significant underexpenditure of 25 per cent in 2004-2005 and 40 per cent thus far in 2006, the Advisory Committee is of the view that there is room for savings in the UNAMI budget.**

VI. Recommendation

91. **Taking into account the pattern of expenditures for special political missions for the current period and its comments above (in particular para. 90), the Advisory Committee recommends a 10 per cent overall reduction ($36,487,120) in the resource requirements of $364,871,200 proposed by the Secretary-General. Accordingly, the Committee further recommends that the General Assembly appropriate an amount of $232,500,480 under section 3, Political Affairs, and of $22,515,750 under section 35, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2006-2007.**

Annex

United Nations Assistance Mission for Iraq: summary of planned distribution of posts by location in 2007

	All locations																							
	Staff approved for 2006			*All locations*			*Baghdad*			*Basra*			*Erbil*			*Kirkuk*			*Kuwait*			*Amman*		
	Inter-national	*National*	*Total*	*Inter-national*	*National*	*Total*	*Inter-national*	*National*	*Total*	*Inter-national*	*National*	*Total*	*Staff proposed for 2007*			*Inter-national*	*National*	*Total*	*Inter-national*	*National*	*Total*	*Inter-national*	*National*	*Total*
Substantive offices																								
Office of the Special Representative of the Secretary-General	8	10	18	12	10	22	8	9	17	1	-	1	1	-	1	-	-	-	2	1	3	-	-	-
Chief of Staff/Executive Office	9	7	16	9	9	18	8	8	16	-	-	-	-	-	-	-	-	-	1	1	2	-	-	-
Office of the Principal Deputy of the Special Representative of the Secretary-General	3	1	4	3	1	4	3	1	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Principal Deputy of the Special Representative of the Secretary-General/Political Affairs Office	19	20	39	23	25	48	16	17	33	1	2	3	1	2	3	1	2	3	2	1	3	2	1	3
Principal Deputy of the Special Representative of the Secretary-General/Electoral Assistance Office	22	3	25	23	5	28	19	5	24	-	-	-	-	-	-	-	-	-	2	-	2	2	-	2

	All locations																							
	Staff approved for 2006			All locations			Baghdad			Basra			Erbil											
													Staff proposed for 2007			Kirkuk			Kuwait			Amman		
	International	National	Total	International	National	Total	International	National	Total	International	National	Total	International	National	Total	International	National	Total	International	National	Total	International	National	Total
Principal Deputy of the Special Representative of the Secretary-General/ Constitutional Support Office	12	10	22	11	5	16	11	5	16	–	–	–	–	–	–	–	–	–	–	–	–	–	–	17
Human Rights Office	13	26	39	15	31	46	6	11	17	2	5	7	2	5	7	2	3	5	–	–	–	3	7	10
Deputy Special Representative of the Secretary-General for Humanitarian Coordination	24	38	62	29	44	73	4	4	8	5	13	18	4	9	13	2	5	7	–	–	–	14	13	27
Public Information Office	6	7	13	6	7	13	4	5	9	–	–	–	–	–	–	–	–	–	–	–	–	2	2	4
Integrated Safety and Security Service	138	147	285	153	122	275	94	63	157	20	8	28	20	8	28	2	1	3	8	27	35	9	15	24
Subtotal, substantive offices	254	269	523	284	259	543	173	128	301	29	28	57	28	24	52	7	11	18	15	30	45	32	9	87
Division of Administration	154	263	417	179	292	471	58	87	145	13	24	37	12	25	37	6	23	29	71	95	166	19	38	57
Total	406	532	938	463	551	1 014	231	215	446	42	52	94	40	49	89	13	34	47	86	125	211	51	76	127

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Agenda item 117
Programme budget for the biennium 2006-2007

Establishment of the United Nations Register of Damage caused by the Construction of the Wall in the Occupied Palestinian Territory

Programme budget implications of draft resolution A/ES-10/L.20/Rev.1

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement submitted by the Secretary-General (A/C.5/61/13/Rev.1) in accordance with rule 153 of the rules of procedure of the General Assembly of the programme budget implications of draft resolution A/ES-10/L.20/Rev.1, dated 15 December 2006, concerning the establishment of the United Nations Register of Damage caused by the Construction of the Wall in the Occupied Palestinian Territory.

2. The Committee recalls its report A/61/614 of 6 December 2006 on the statement submitted by the Secretary-General (A/C.5/61/13) in accordance with rule 153 of the rules of procedure of the General Assembly of the programme budget implications of draft resolution A/ES-10/L.20, dated 22 November 2006. In that statement, the additional estimated requirements for the programme budget for 2006-2007 amounted to $3,098,700 gross ($2,812,000 net).

3. The Committee notes that the terms of operative paragraphs 3 to 5, 6 and 7 as well as 11 to 15 of draft resolution A/ES-10/L.20/Rev.1 would entail no change that impacts on the previously requested resource levels.

4. The revision to operative paragraph 8 (c) of draft resolution A/ES-10/L.20 relates to the verification and assessment unit with related responsibilities, which would no longer be requested at this stage. Accordingly, one D-1, one P-5, two P-4, one P-3 and two General Service staff positions would not be required at this stage. Under operative paragraph 16 of draft resolution A/ES-10/L.20/Rev.1, the General Assembly would request the Secretary-General to report to it within six months on

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the progress made with regard to the establishment and operation of the office of the Register of Damage and the establishment of the Register of Damage.

5. The estimated costs for the establishment and maintenance of the Register of Damage as decided and requested in draft resolution A/ES-10/L.20/Rev.1 would amount to $2,141,800 net ($2,344,700 gross).

6. The Committee reiterates its opinion, as expressed in paragraph 6 of its last report (A/61/614), that every effort should be made to draw upon existing available resources to the maximum extent possible. Such savings in respect of 2006-2007 as may be identified should be reflected in the performance report for 2006-2007.

7. **The Advisory Committee recommends that the Fifth Committee report to the General Assembly that, should it adopt draft resolution A/ES-10/L.20/Rev.1, an additional appropriation of up to $2,344,700 would be required under section 3, Political affairs ($2,141,800), and section 35, Staff assessment ($202,900), to be offset by the same amount under Income section 1, Income from staff assessment, of the programme budget for the biennium 2006-2007, for the establishment and maintenance of the Register of Damage.**

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Programme budget for the biennium 2006-2007

Strengthened and unified security management system for the United Nations

Measures taken to improve the operational administration of existing cost-sharing arrangements for safety and security

Strengthened and unified security management system for the United Nations: standardized access control

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the Secretary-General's reports entitled "Strengthened and unified security management system for the United Nations" (A/61/531), "Measures taken to improve the operational administration of existing cost-sharing arrangements for safety and security" (A/61/223) and "Strengthened and unified security management system for the United Nations: standardized access control" (A/61/566). During its consideration of the reports, the Committee met with representatives of the Secretary-General.

2. The report of the Secretary-General contained in document A/61/531 provides updated information on the progress achieved in establishing a strengthened and unified security management system for the United Nations, both at Headquarters and in the field. It also identifies those areas where additional work is needed to ensure that the Department of Safety and Security is in a position to manage new requirements identified over the past 18 months and to respond to unforeseen emergency situations. The report is submitted in compliance with section XI, paragraph 56, of General Assembly resolution 59/276, whereby the Assembly requested the Secretary-General to examine the possibility for further integration and rationalization of the security management system and to report thereon to the Assembly at its sixty-first session.

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3. The conclusions and recommendations contained in the aforementioned report of the Secretary-General provide for the following:

(a) The reclassification of the existing D-2 Deputy to the Under-Secretary-General post to the Assistant Secretary-General level;

(b) The continuation of the D-2 position of Director, Headquarters Security and Safety Service;

(c) The conversion of the 134 temporary posts to established posts in the Security and Safety Services;

(d) The establishment of a United Nations crisis management capability and the reversion to the ongoing requirements in the context of the proposed programme budget for the biennium 2008-2009.

4. The Advisory Committee recalls that the General Assembly, in section XI, paragraph 24, of its resolution 59/276, decided to establish a D-2 post of Deputy to the Under-Secretary-General and to review the post in the context of the implementation report to be submitted by the Secretary-General to the Assembly at its sixtieth session.

5. **The Advisory Committee is of the view that the reclassification of the D-2 post of Deputy to the Under-Secretary-General for Safety and Security should be considered in the context of the Secretary-General's proposed programme budget for the biennium 2008-2009.**

6. In section XI, paragraph 25, of its resolution 59/276, the General Assembly decided to review the post of the head of the Division of Safety and Security Services in the context of the implementation report to be submitted by the Secretary-General to the Assembly. The Secretary-General indicates in paragraph 30 of his report that the Director of the Division provides policy direction, operational guidance and overall technical supervision to the Security and Safety Services in New York and at the other headquarters locations and regional commissions, and ensures the provision of safety and security programmes that provide for an optimal level of security in order to protect staff, delegates, visiting dignitaries and other visitors to United Nations premises, to prevent damage to United Nations property and to provide safe and secure facilities. **The Advisory Committee has no objection to the proposed continuation of the D-2 position of Director, Headquarters Security and Safety Service.**

7. With regard to the proposed conversion of the 134 temporary posts to established posts in the Security and Safety Services, the Advisory Committee recalls that the General Assembly, by section XI, paragraph 26, of its resolution 59/276 decided to establish 383 new Security Officer posts at the Local, General Service and Security Service levels, of which 249 are established posts and 134 are temporary posts. The Committee was provided, upon request, with additional information in support of the proposed conversion (see annex), as well as statistics on the vacancy situation, which indicate a marked improvement. **On the basis of the foregoing and recognizing the continuous nature of functions assigned to these 134 posts, the Advisory Committee recommends approval of the proposed conversion.**

8. The Advisory Committee was informed, upon enquiry, that the United Nations Development Programme (UNDP), through a bilateral agreement with the United

Nations, administers and supports the Department of Safety and Security field security personnel (250 Professional and 369 Local-level General Service posts). These staff members are paid in accordance with the UNDP compensation system and there are differences in the total compensation package under UNDP and those under the United Nations, including benefits and allowances, for non-family duty stations. **The Advisory Committee sought clarification as to why those staff members were provided conditions of service that were different from those of other Secretariat staff serving in other non-family duty stations. As this information had not been received by the Committee at the time of the preparation of the present report, it should be provided directly to the General Assembly.**

9. Paragraphs 50 and 51 of the report (A/61/531) contain information related to the proposal to endorse the establishment of a United Nations crisis management capability. The Advisory Committee observes that the Department of Safety and Security has a crisis management structure in place to handle a crisis of limited scope, duration and complexity; the Department is planning to gradually assume a leading role in crisis response and crisis management for the United Nations system with the intention of developing and refining concepts and plans, some of which already exist within the system, in a manner which would ultimately lead to the creation of a cooperative crisis management network or partnership that would serve the Organization as a whole. Moreover, the Committee observes that the Department of Safety and Security will need to: (a) enhance the Department's existing 24 hours a day, 7 days a week, communications centre capabilities and resources to better facilitate crisis management and continuity of operations; (b) develop and implement global communications capabilities with the field to include secure communications, where needed, as well as an information reporting protocol; and (c) develop and implement departmental plans for continuity of operations, including maintaining key information and communications technologies during an emergency or crisis event. The Secretary-General indicates that while a small team will be formed using existing resources at this stage, ongoing requirements related to crisis management would be considered in the context of the proposed programme budget for the biennium 2008-2009.

10. **The Advisory Committee notes the establishment of the crisis management structure and trusts that, where appropriate, the related functions will be developed in cooperation with the Department of Peacekeeping Operations.** The Committee understands that the proposed programme budget for the biennium 2008-2009 will provide detailed information on the project and its related costs.

11. The report of the Secretary-General contained in document A/61/223 summarizes the actions taken by the High-level Committee on Management of the United Nations System Chief Executives Board for Coordination and outlines the revised modalities agreed upon by the organizations participating in the cost-sharing arrangements for the operational administration of such arrangements. The Advisory Committee recalls that in section XI, paragraph 48, of its resolution 59/276, the General Assembly decided to maintain existing arrangements with regard to cost-sharing for safety and security.

12. As indicated in the report, there are ongoing discussions with the World Bank concerning its participation. **The Advisory Committee supports and encourages the High-level Committee on Management in its efforts to expeditiously resolve**

this matter. The Committee reiterates its view that the United Nations Secretariat and United Nations organizations, funds and programmes share a common responsibility for the security and safety of their staff and it is in their interest to provide adequate and assured funding for security (see A/58/758, para. 31).

13. The Advisory Committee observes that the High-level Committee on Management at its ninth session decided that a governance system should be established which would ensure that all organizations participating in cost-sharing arrangements would be periodically consulted in a timely manner on each step of the formulation, approval, recosting and revision of cost-shared budgets. **The Advisory Committee welcomes the initiative by the High-level Committee on Management, as this development is in line with the earlier expressed view of the Committee that all concerned must share a common ownership in the system, with the right to participate in decision-making (see A/59/539, para. 32).**

14. The report of the Secretary-General contained in document A/61/566 elaborates further on standardized access control measures as outlined in the previous report of the Secretary-General on the matter (A/60/695) and provides the detailed information requested by the Advisory Committee in its report (A/60/7/Add.35). It also describes the proposed scope, concept and revised course of action for standardized access control at all main locations of the Organization and identifies the estimated costs of addressing critical requirements that should be implemented. The Secretary-General indicates that the additional improvements identified will bring all main duty stations into compliance with the headquarters minimum operating security standards for perimeter protection and electronic access control. The report sets a new timetable for a detailed plan for implementation of the project.

15. As indicated in the report, the implementation of the standardized access control project will be undertaken in two phases. The first phase is intended to meet compliance with headquarters minimum operating security standards for perimeter protection and electronic access control. The second phase, which will be presented to the General Assembly at its sixty-second session, is designed to provide for compliance with those standards with regard to defined layers of security within the perimeter.

16. The Advisory Committee observes that an independent assessment was conducted of the technical soundness and cost-effectiveness of the proposed access control system. The Secretary-General indicates that the assessment reviewed the proposals with regard to the objectives of the headquarters minimum operating security standards and concluded that the proposed security improvements were fully compliant with those standards; the level of technology specified was appropriate and there was no overlapping of requirements; the overall design approach and the selection of technologies, systems and brands were consistent with standard practice in the security industry; and the cost estimates and unit costs of the access control system were accurate for budgetary purposes. The Committee was informed, upon enquiry, that while the access control system would generate real-time information on entry/exit of electronic access card holders and, accordingly, on their presence on United Nations premises, that data would not be used for purposes other than entry/exit control. The Secretary-General indicates that access control

records relating to entry, exit and movement within the premises are not shared except in the event of an emergency. **The Advisory Committee trusts that effective measures will be put in place to guarantee the highest level of protection of personal data available in the system.**

17. The Secretary-General reports that the standardized access control project is designed for full integration with fully implemented and pending security enhancement projects and with the overall United Nations information technology strategy; moreover, the capital master plan-managed project at the main Secretariat complex has been designed for full compatibility with the standardized access control project.

18. As indicated in paragraph 12 of the report, the cost estimates of $23,683,000 reflect the resources needed to raise each duty station from its current security level to a level of compliance with the headquarters standards as regards access control. The table in paragraph 60 of the report contains a breakdown of the estimated resource requirements by duty station and function or project. **The Advisory Committee had sought information on the implementation of security enhancement projects at all main United Nations duty stations. The information was not received by the time of the preparation of the present report and should therefore be submitted directly to the General Assembly.**

19. The Secretary-General proposes that the General Assembly approve the proposed course of action and authorize him to enter into commitments of $20,208,000 under the programme budget for the biennium 2006-2007, $1,500,000 under the budget for the International Tribunal for the Former Yugoslavia and $1,975,000 under the budget for the International Criminal Tribunal for Rwanda, to be reported on in the context of the respective second performance reports. **The Advisory Committee has no objection to the Secretary-General's proposal.**

Annex

1. A comprehensive review of the security requirements at the various headquarters duty stations has confirmed the requirement for 383 additional posts (249 established and 134 temporary posts). The additional staffing is required to ensure that each headquarters duty station has the appropriate capacity to address the level of threat and vulnerability at its location and strengthen security coverage in the areas of risk and threat assessment, crisis management, investigations and VIP protection, internal posting and patrols, emergency response and surveillance detection, fire hazards and safety issues and the strengthening of security control centres. For New York, the canine operation, which had been contracted out, is now being undertaken in-house.

2. Since the aforementioned review, the threat and vulnerability levels for the various locations have not decreased. While recognizing that the primary responsibility for ensuring the safety and security of United Nations staff and premises rests with the host country, it is the responsibility of the United Nations to ensure security inside the premises. The table in paragraph 38 of the report of the Secretary-General (A/61/531) provides an overview of the functions being performed by the new officers. It should be noted that the largest number of staff members are assigned to patrols and internal postings within the United Nations compound and for pedestrian and vehicle access control. Therefore, the discontinuation of the 134 temporary posts will have an adverse effect and will compromise the security of staff and premises.

3. The introduction of technology, such as the turnstiles in New York, is not expected to reduce the requirement for human resources. While technology will assist the security officers in the execution of their duties and ensure the availability of accurate data in the event of an emergency, the presence of security officers at the various entry points is required to facilitate access.

United Nations A/61/643–S/2006/995

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Security Council

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General Assembly
Sixty-first session
Agenda item 13
The situation in the Middle East

Security Council
Sixty-first year

Identical letters dated 18 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith a statistical summary of Israeli violations between 8 and 14 December 2006 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-first session of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

06-66858 (E) 211206 211206

Annex to the identical letters dated 18 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Re: Israeli violations, acts of aggression and activities from 8 to 14 October 2006, inclusive

Air violations

On 8 December 2006, between 0757 hours and 1215 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Biyada and circled over areas of the South. It then departed Lebanese airspace over Rmaich.

On the same date, between 1200 hours and 1410 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Aalma al-Chaab and circled over regions of the South. It then departed Lebanese airspace over Rmaich.

On the same date, between 1526 hours and 1535 hours, an enemy Israeli warplane violated Lebanese airspace and overflew the town of Tebnine at very high altitude.

On the same date, between 1553 hours and 1555 hours, an enemy Israeli warplane violated Lebanese airspace and overflew the towns of Bent Jbail and Maroun al-Ras at very high altitude.

On 9 December 2006, between 1758 hours and 1955 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace and circled over the regions of the South. It departed Lebanese airspace over the sea off Al-Naqoura.

On 11 December 2006, between 0035 hours and 0345 hours, an enemy Israeli reconnaissance aircraft overflew the Bent Jbail area, thereby violating Lebanese airspace.

On the same date, between 1105 hours and 1140 hours, two enemy Israeli warplanes violated Lebanese airspace over Kfar Kila. They then departed Lebanese airspace over the sea off the city of Tripoli.

On the same date, between 1202 hours and 1207 hours, two enemy Israeli warplanes violated Lebanese airspace over the sea off Beirut in a south-easterly direction. They then departed Lebanese airspace over Aalma al-Chaab.

On the same date, between 1207 hours and 1525 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre, and circled over areas of the South. It then departed Lebanese airspace over Rmaich.

On the same date, between 1212 hours and 1245 hours, two enemy Israeli warplanes violated Lebanese airspace over Al-Naqoura and circled over areas of the South. They then departed Lebanese airspace over the sea off Al-Naqoura.

On the same date, between 1221 hours and 1315 hours, four enemy Israeli warplanes violated Lebanese airspace over Al-Khiam, and circled over areas of the South and the western Bekaa. They then departed Lebanese airspace over Aalma al-Chaab.

On the same date, between 1500 hours and 1800 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre, and circled over areas of the South. It then departed Lebanese airspace over Aalma al-Chaab.

On the same date, between 1642 hours and 1955 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea, and circled over areas of Sidon, east of Sidon, and the South. It then departed Lebanese airspace over Aalma al-Chaab.

On 13 December 2006, between 1545 hours and 1550 hours, seven enemy Israeli warplanes violated Lebanese airspace at low altitude over the Yaroun area and the Blue Line opposite Rmaich and Aaita al-Chaab.

On the same date, between 1700 hours and 1745 hours, an enemy Israeli warplane overflew Meis al-Jabal.

On the same date, between 2200 hours and 2340 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Aaitaroun, and circled over the South region. It departed Lebanese airspace over Aalma al-Chaab.

On 14 December 2006, between 1030 hours and 1115 hours, an enemy Israeli reconnaissance aircraft overflew the Al-Khardali area, thereby violating Lebanese airspace.

On the same date, between 1804 hours and 2110 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Aalma al-Chaab in a northerly direction, and circled over areas of the South. It then departed Lebanese airspace over Al-Naqoura.

On the same date, at 2100 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Aalma al-Chaab in a northerly direction. It departed Lebanese airspace on 15 December 2006 at 0010 hours over Al-Naqoura.

Sea violations

On 14 December 2006, at 1909 hours, in the open sea off Ras al-Naqoura, an enemy Israeli military launch fired a flare bomb and a number of rounds of medium-machine-gun fire in the direction of the demarcation buoys after two Lebanese fishing vessels had approached said buoys.

Field violations

On 8 December 2006, at 1209 hours, in occupied Palestinian territory in one of the pillboxes opposite the 11th Brigade's Aadaisse checkpoint, an enemy Israeli soldier proceeded to aim his weapon in the direction of a Lebanese army military vehicle (a Jeep Willis) that was transporting soldiers to Al-Nabi 'Uwayda hill. He continued aiming in its direction until it disappeared from his view.

On 14 December 2006, at 1235 hours, in the Azra'il location near the al-Ramta outpost (outside of Kfar Chouba), two enemy Israeli forces tanks advanced and positioned themselves at the aforementioned location, while an enemy infantry detachment crossed 400 metres into Lebanese territory, chased several Lebanese youths (livestock herders) and fired a round in their direction without hitting them. The enemy infantry detachment withdrew and a patrol of the Indian UNIFIL contingent arrived on the scene.

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General Assembly

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Sixty-first session
Agenda item 151

Financing of the United Nations Integrated Mission in Timor-Leste

Report of the Fifth Committee

Rapporteur: Mr. Diego **Simancas** (Mexico)

I. Introduction

1. At its 2nd plenary meeting, on 13 September 2006, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-first session the item entitled "Financing of the United Nations Integrated Mission in Timor-Leste" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 22nd and 34th meetings, on 17 November and 18 December 2006. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/61/SR.22 and 34).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the financing of the United Nations Integrated Mission in Timor-Leste for the period from 25 August 2006 to 31 March 2007 (A/61/519);

(b) Report of the Advisory Committee on Administrative and Budgetary Questions (A/61/567).

II. Consideration of draft resolution A/C.5/61/L.11

4. At its 34th meeting, on 18 December, the Committee had before it a draft resolution entitled "Financing of the United Nations Integrated Mission in Timor-Leste" (A/C.5/61/L.11), which was submitted by the Vice-Chairman of the Committee, the representative of Greece, on the basis of informal consultations.

06-66833 (E) 191206

5. At the same meeting, the Chairman of the Committee drew the attention of the members of the Committee to a letter dated 15 November 2006 from the Secretary-General addressed to the President of the General Assembly (A/61/598).

6. Also at the same meeting, the Director of the Peacekeeping Financing Division made a statement (see A/C.5/61/SR.34).

7. Also at the 34th meeting, before the adoption of the draft resolution, the representative of the Sudan made a statement (see A/C.5/61/SR.34).

8. At the same meeting, the Committee adopted draft resolution A/C.5/61/L.11 without a vote (see para. 9).

III. Recommendation of the Fifth Committee

9. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Integrated Mission in Timor-Leste

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Integrated Mission in Timor-Leste[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolution 1704 (2006) of 25 August 2006, by which the Council decided to establish a follow-on mission in Timor-Leste, the United Nations Integrated Mission in Timor-Leste, for an initial period of six months, with the intention to renew it for further periods,

Recognizing that the costs of the Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in General Assembly resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of the Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005 and 60/266 of 30 June 2006, as well as other relevant resolutions;

2. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

3. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

4. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

[1] A/61/519.
[2] A/61/567.

5. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

6. *Recalls* its resolution 60/266, section VI, paragraph 1, and emphasizes the importance of ensuring coordination and collaboration of efforts with the United Nations agencies, funds and programmes and the implementation of a unified workplan, and requests the Secretary-General to report to the General Assembly on measures taken and progress made and to provide clear descriptions of respective roles and responsibilities in its future budget submissions;

7. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission;

8. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

9. *Notes* the additional information provided by the Secretary-General on the ability to finance twenty-two general temporary assistance positions for the backstopping of the Mission at United Nations Headquarters in the amount of 2,307,500 United States dollars from the resources approved for the peacekeeping support account for the period from 1 July 2006 to 30 June 2007;[3]

10. *Authorizes* the Secretary-General to finance up to twenty-two general temporary assistance positions at United Nations Headquarters to provide support for the deployment of the Mission from the resources approved for the peacekeeping support account for the period from 1 July 2006 to 30 June 2007, to be reported to the General Assembly in the context of the peacekeeping support account performance report for the period from 1 July 2006 to 30 June 2007;

11. *Reaffirms* its resolution 59/296, and requests the Secretary-General to ensure the full implementation of its relevant provisions and the relevant provisions of its resolution 60/266;

12. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

13. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

14. *Further requests* the Secretary-General to make greater use of national staff;

Budget estimates for the period from 25 August 2006 to 31 March 2007

15. *Authorizes* the Secretary-General to establish a special account for the United Nations Integrated Mission in Timor-Leste for the purpose of accounting for the income received and expenditure incurred in respect of the Mission;

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[3] See A/C.5/61/SR.34.

16. *Also authorizes* the Secretary-General to enter into commitments for the Mission for the period from 25 August 2006 to 31 March 2007 in a total amount not exceeding 170,221,100 dollars, inclusive of the amount of 49,961,500 dollars previously authorized by the Advisory Committee on Administrative and Budgetary Questions under the terms of section IV of General Assembly resolution 49/233 A of 23 December 1994;

Financing of the commitment authority

17. *Decides* to apportion among Member States the amount of 143,140,420 dollars for the period from 25 August 2006 to 25 February 2007, in accordance with the levels updated in General Assembly resolution 58/256 of 23 December 2003, and taking into account the scale of assessments for 2006, as set out in its resolution 58/1 B of 23 December 2003, and the scale of assessments for 2007;[4]

18. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 17 above, their respective share in the Tax Equalization Fund of the amount of 2,046,840 dollars, representing the estimated staff assessment income approved for the Mission for the period from 25 August 2006 to 25 February 2007;

19. *Further decides* to apportion among Member States the amount of 27,080,680 dollars for the period from 26 February to 31 March 2007 at the monthly rate of 23,556,753 dollars, in accordance with the levels updated in General Assembly resolution 58/256, and taking into account the scale of assessments for 2007, subject to a decision of the Security Council to extend the mandate of the Mission;

20. *Decides* that, in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided for in paragraph 19 above, their respective share in the Tax Equalization Fund of the amount of 387,360 dollars, representing the estimated staff assessment income approved for the Mission for the period from 26 February to 31 March 2007;

21. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

22. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502 (2003) of 26 August 2003;

23. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

24. *Decides* to keep under review during its sixty-first session the item entitled "Financing of the United Nations Integrated Mission in Timor-Leste".

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[4] To be adopted by the General Assembly.

United Nations A/61/645

General Assembly

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Sixty-first session
Agenda item 33
Comprehensive review of the whole question of peacekeeping operations in all their aspects

Making the standards contained in the Secretary-General's bulletin binding on contingent members and standardizing the norms of conduct so that they are applicable to all categories of peacekeeping personnel

Note by the Secretary-General

Pursuant to General Assembly resolution 59/300, in which the Assembly endorsed the proposals, recommendations and conclusions contained in the report of the Special Committee on Peacekeeping Operations on its 2005 resumed session (A/59/19/Rev.1, part two, chap. II, paras. 40 (b) and (c)), the Secretary-General has the honour to transmit herewith the report of the Group of Legal Experts on how the standards contained in the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) could bind contingent members in the period prior to the conclusion of a memorandum of understanding or other agreement or action by a troop-contributing country that incorporates those standards in a legally effective way under its national laws; and study and propose ways of standardizing the norms of conduct applicable to all categories of peacekeeping personnel, paying particular attention to sexual exploitation and abuse. The Special Committee on Peacekeeping Operations also requested (A/59/19/Rev.1, part two, chap. II, para. 40 (a)), that the Group of Legal Experts make recommendations to ensure that United Nations staff and experts on mission would never be effectively exempt from the consequences of criminal acts committed at their duty station, nor unjustly penalized, in accordance with due process. To that end, a first group of experts constituted and submitted a report to the Secretary-General in March 2006 (A/60/980).

06-66884 (E) 100107

Report of the Group of Legal Experts on making the standards contained in the Secretary-General's bulletin binding on contingent members and standardizing the norms of conduct so that they are applicable to all categories of peacekeeping personnel

Summary

Following the consideration of the report entitled "A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations", completed by His Royal Highness Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Representative of Jordan to the United Nations (A/59/710), the Special Committee on Peacekeeping Operations recommended the appointment of a group of legal experts to consider the problem of holding experts on mission and other civilians accountable for crimes they commit on peacekeeping missions. The report from that first Group (A/60/980) is now under consideration by the United Nations.

The Special Committee also requested that a group of legal experts be appointed to consider two additional issues: the application of the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) to members of military contingents before the memorandum of understanding or similar document is signed, and standardizing norms of conduct across all categories of peacekeeping personnel.

The second Group reviewed the processes that the United Nations undertakes to generate a force for a peacekeeping operation. From that review, it identified a number of ways by which a troop-contributing country could be placed under an obligation at international law to ensure that the standards in the Secretary-General's bulletin bind contingent members in the period prior to the conclusion of a memorandum of understanding or similar document. A number of recommendations are made in that regard.

The Group also considered the authority of the head of mission and Force Commander to issue directives, and the role of troop-contributing countries to take action to ensure that the Secretary-General's bulletin is binding on its members. Recommendations are also made in relation to that issue.

The concept of standardizing norms of conduct for all categories of peacekeeping personnel raised a number of problems for the Group. While the Group concluded that there is merit in ensuring that the same norms of conduct apply to all categories of peacekeeping personnel in relation to issues that are of significance to the United Nations, such as sexual exploitation and abuse, there is considerable practical difficulty in standardizing norms of conduct for all issues. The Group does not make any recommendations in that regard, but proposes two options for readily accessible pocket guides to basic norms of conduct that apply to all categories.

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I. Introduction

1. In accordance with General Assembly resolution 59/300 of 22 June 2005, in which the Assembly endorsed the recommendations of the Special Committee on Peacekeeping Operations,[1] the Secretary-General established a Group of Legal Experts:

(a) To provide advice on whether, and if so how, the standards in the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) could bind contingent members in the period prior to the conclusion of a memorandum of understanding or other agreement or action by a troop-contributing country that incorporates those standards in a legally effective way under its national laws;

(b) To study and propose ways of standardizing the norms of conduct applicable to all categories of peacekeeping personnel, paying particular attention to the issue of sexual exploitation and abuse.

2. The Group[2] undertook this task, in accordance with its terms of reference (see annex I), between 12 September and 27 October 2006.

3. The Group consulted with a number of officials from the Department of Peacekeeping Operations and the Office of Legal Affairs, and appreciates the time those officials took to provide them with information in relation to peacekeeping operations. The Group also met with the members of the Special Committee on Peacekeeping Operations and thanks them for their time.

4. The Group is grateful for the professional assistance and support provided by the administrative officer for the Group.

II. First term of reference of the Group of Legal Experts

To provide advice to the General Assembly on whether, and if so how, the standards in the Secretary-General's bulletin (ST/SGB/2003/13) could bind contingent members in the period prior to the conclusion of a memorandum of understanding or other agreement or action by a troop-contributing country that incorporates those standards in a legally effective way under its national laws.

Observations on the mandate

5. The mandate of the Group of Legal Experts requests advice on the ways in which the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) (hereinafter "the 2003 bulletin") could bind "members of national contingents assigned to the military component of a United Nations peacekeeping operation". The Group understands this to mean both military and civilian personnel of a national contingent who are

[1] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part two, chap. II, paras. 40 (b) and (c).

[2] Secretary: Diana Boernstein (United States of America); Members: Oluyemi Osinbajo (Nigeria), Suesan Sellick (Australia), Lionel Yee (Singapore).

provided to the United Nations by the Government of a troop-contributing country for the purposes of a peacekeeping operation, and the generic expressions "contingent members" or "members of national contingents" are used in the present report. The Group notes that this does not include formed police units as they are not assigned to the military component of a United Nations peacekeeping operation.[3] The Group also notes that the standards set out in the 2003 bulletin have been made applicable to other categories of peacekeeping personnel (see para. 40 below).

6. The Group is aware that negotiations are taking place to incorporate relevant provisions of the 2003 bulletin into the memorandum of understanding that governs the participation of a troop-contributing country in a peacekeeping operation. Its mandate requires it to consider the application of the standards in the 2003 bulletin before a memorandum of understanding incorporating the bulletin is signed.

7. The Group understands the expression "bind contingent members" to require it to consider:

(a) The ways in which a troop-contributing country:

(i) May have an obligation in international law to apply the standards set out in the 2003 bulletin to its contingent members; and

(ii) Can take action under domestic law, through its military and/or criminal justice system, against contingent members if they fail to comply with those standards; and

(b) Any other circumstance in which action may be taken against a contingent member if he or she fails to comply with those standards.

8. Finally, the Group notes that although military members of national contingents are under the exclusive jurisdiction of their States in respect of criminal offences committed on a peacekeeping operation,[4] the peacekeeping operation remains the responsibility of the United Nations and, more importantly, the United Nations is responsible for the good conduct of all personnel, including military members of national contingents.[5]

Discussion

9. In addressing the first term of reference, the Group considered the processes involved in the deployment of personnel from a troop-contributing country and identified a number of ways by which a troop-contributing country could be placed

[3] The Group is aware that formed police units are provided by Member States under similar financial terms and conditions as national contingents. Unlike members of national contingents, however, the members of the formed police units have the status of experts on mission and do not come within the exclusive jurisdiction of the sending State. Therefore, the 2003 bulletin applies to members of the formed police units by the terms of their engagement; see para. 42 of the present report.

[4] See para. 40 of the model status-of-forces agreement of 9 October 1990 (A/45/594, annex). The extent of the immunities and privileges of civilian members of a military component is outside the scope of the present report.

[5] See Standard Directives for the Special Representative of the Secretary-General, as discussed in para. 19 of the present report.

under obligation in international law to act so as to ensure that allegations of sexual exploitation and abuse by members of its national contingent can be properly investigated and, if substantiated, punished. The Group also considered the roles of heads of mission, Force Commanders, Security Council resolutions and troop-contributing countries themselves.

10. The Group notes that even if a troop-contributing country is under an international law obligation, the United Nations may still be unable to compel a troop-contributing country to take the necessary action under its domestic law to ensure that members of its national contingent are bound by the 2003 bulletin. It is for each troop-contributing country to act in accordance with its national legal system to ensure that the conduct proscribed by that bulletin is punishable in accordance with its laws.[6] Of course, the ultimate sanction is the United Nations not seeking troops from countries that have not proscribed such conduct. But this may be neither a practical nor a realistic solution.

Force generation and action by the United Nations

11. The Group understands that, before a national contingent is deployed, there is considerable contact between the Department of Peacekeeping Operations and the troop-contributing country. For example, early in the preparation stage, the concept of the operation and organizational structure, as well as information relating to personnel, are set out in the form of Guidelines for Troop-Contributing Countries, which are provided to potential troop-contributing countries.[7]

12. Following the adoption of the Security Council resolution authorizing the peacekeeping operation, a formal invitation is sent by the United Nations to the potential troop-contributing country in the form of a note verbale. Negotiations on the memorandum of understanding are then undertaken with the troop-contributing country, and a predeployment visit may be made by the Department of Peacekeeping Operations to give briefings and to inspect the equipment and the units to be deployed. If there is a predeployment visit, the Department provides a report to the troop-contributing country on the outcome of that visit. Notwithstanding the continued communications and negotiations, it is often the case that the memorandum of understanding will not be signed by the troop-contributing country before deployment, and it may not be signed for some months.

13. At any stage of this process, the United Nations can seek commitments from the troop-contributing country that it will take action against a member of its national contingent who contravenes the standards set out in the 2003 bulletin.

14. This could be done by the note verbale specifically stating that:

(a) The deployment is on the understanding that the troop-contributing country will take such action; or

[6] Whether this be by way of the military and/or criminal justice system.

[7] These Guidelines will eventually be incorporated as annex G to the memorandum of understanding that governs the participation of the troop-contributing country in the peacekeeping operation.

(b) The general administrative arrangements[8] for deployment are contained in the Guidelines for Troop-Contributing Countries. The Guidelines should, in turn, require the troop-contributing country to prohibit sexual exploitation and abuse as set out in the 2003 bulletin.[9]

15. In either case, if the troop-contributing country, without any qualification, deploys a military contingent in response to the note verbale, the deployment will be on the basis of such understanding or arrangements. In these circumstances, the troop-contributing country will be bound in international law to apply the standards set out in the 2003 bulletin to its contingent members.

16. The Group also considered the possible use of a one-off note verbale to all States stating that future deployments will be on the understanding that the troop-contributing country will ensure that members of its national contingent will comply with the standards of conduct set out in the 2003 bulletin. The advantage of this is that it would only need to be done once; the practical and political viability of this approach is doubtful, however. Its open-ended character means that it is possible that, after a certain time, troop-contributing countries may overlook the existence and continued application of its terms.

17. The predeployment visit can also be used to ascertain whether and how the troop-contributing country intends to ensure that its members observe the standards of conduct set out in the 2003 bulletin. While this may not result in the troop-contributing country undertaking binding obligations in international law, the troop-contributing country's attention is drawn to the importance of compliance with the United Nations zero tolerance policy.

18. **The Group recommends that:**

(a) The Department of Peacekeeping Operations consider including in the note verbale one of the following statements:

(i) That the contribution of a national contingent is on the understanding that the troop-contributing country will take action to ensure that its members observe the standards in the 2003 bulletin and will take measures under its national laws to ensure that allegations of sexual exploitation and abuse against its personnel are properly investigated and, if substantiated, punished; or

(ii) That the general administrative arrangements applicable to the contribution are those set out in the Guidelines for the peacekeeping operation, which should require the troop-contributing country to prohibit sexual exploitation and abuse; and

(b) That the predeployment visit (where one occurs) be used to ascertain whether and how the troop-contributing country intends to ensure that its members observe the standards of conduct set out in the 2003 bulletin, with the

[8] The expression "general administrative arrangements" is used to refer to the function of the Guidelines in the model memorandum of understanding (A/51/967 and Corr.1 and 2, annex A (Personnel), para. 10).

[9] While there is some discussion on the status of the Guidelines in the Zeid report (A/59/710, paras. 20 and A.31), under this proposal, the legal obligation is created pursuant to the note verbale and not the Guidelines as such.

outcome of the inquiry recorded in the visit report to be given to the troop-contributing country.

Administrative action by the head of mission

19. In accordance with the Standard Directives issued by the Under-Secretary-General for Peacekeeping Operations to the head of mission/Special Representative of the Secretary-General,[10] the head of mission exercises operational authority[11] in the field on behalf of the Secretary-General. All personnel assigned to the mission are under the authority and direction of the Special Representative, and are answerable to him or her for their conduct and the performance of their duties. In particular, the head of mission must ensure that all members of the mission, among other things:

(a) Conduct themselves at all times (both on and off duty) in a manner befitting their status as members of the mission and that they carry out their duties and regulate their conduct solely with the interest of the United Nations in view;

(b) Refrain from any action incompatible with the international nature of their duties; and

(c) Respect the laws, regulations and customs of the host country, as well as international human rights standards and international humanitarian law, and receive adequate training in this area. In this connection, it is imperative that they demonstrate respect for the local population, in particular vulnerable groups.[12]

20. Based on this authority, the United Nations through the head of mission is able to take and has taken administrative action[13] against contingent members in peacekeeping missions who have engaged in sexual exploitation and abuse. Information provided by the Department of Peacekeeping Operations states that between 1 January 2004 and 23 August 2006, there have been 144 repatriations or rotations of persons on disciplinary grounds, including seven commanders.

21. The Group is aware of one instance of disagreement between the United Nations and the troop-contributing country over whether the facts substantiated the alleged misconduct in a particular case. The Group is unaware, however, of any dispute about the authority of the United Nations to require repatriation in the event that the misconduct is established.

22. The ability of the United Nations to repatriate a member of a national contingent who contravenes the 2003 bulletin indicates that the standards of that

[10] In the absence of a Special Representative, the Force Commander or Chief Military Officer or Chief of Staff serves as head of mission.

[11] "Operational authority" involves the full authority to issue operational directives within the limits of (1) a specific mandate of the Security Council; (2) an agreed period of time; and (3) a specific geographic area.

[12] See para. 30 of the Standard Directives issued to the head of mission. The Special Representative may do so by directives or instructions.

[13] As opposed to disciplinary or criminal action taken by the troop-contributing country. In cases of sexual exploitation and abuse, the administrative action is generally repatriation. For misconduct of a minor nature, such as contravening standards of conduct dealing with driving, the administrative action might be loss of licence or privileges associated with the use of United Nations vehicles.

bulletin do bind such persons regardless of whether a memorandum of understanding is signed, in that there are consequences for contingent members who fail to comply.

Security Council resolutions

23. The Group notes that a number of recent Security Council resolutions authorizing or extending a peacekeeping operation have made express reference to the Secretary-General's zero tolerance policy on sexual exploitation and abuse. Those resolutions have requested the Secretary-General to "take all necessary action" to prevent sexual exploitation and abuse, and have urged troop-contributing countries to take, among other things, disciplinary action to deal with such conduct by their personnel.[14]

24. These resolutions use only exhortative language in relation to troop-contributing countries taking disciplinary action, however. In order to create a legally binding obligation on the part of a troop-contributing country, it would be necessary to invoke the decision-making powers of the Security Council under Chapter VII of the Charter of the United Nations. It is, however, doubtful if such a measure can be described as necessary for restoring or maintaining international peace and security so as to justify invoking the Council's Chapter VII powers.

25. Nevertheless, **the Group recommends retaining, as a minimum, the recent practice of including, in Security Council resolutions authorizing or extending mandates for peacekeeping operations, a call on the Secretary-General to take all necessary action to give effect to the 2003 bulletin**, for the reasons set out in paragraph 29 below.

Directives issued by the head of mission and/or Force Commander

26. In accordance with command and control responsibilities in United Nations peacekeeping missions,[15] the Force Commander exercises operational control over all military personnel in the mission. United Nations operational control gives the Force Commander the authority, inter alia, to direct forces assigned to accomplish specific missions or tasks. In general terms, the Force Commander has the authority to issue directives in relation to matters that impact on the success of the mission.[16]

27. The Group is aware that directives governing the conduct of peacekeeping personnel, including contingent members, are routinely issued by the head of mission and/or the Force Commander. Examples of these are directives establishing

[14] See, for example, Security Council resolution 1626 (2005), which extended the United Nations Mission in Liberia (UNMIL), para. 12; and resolution 1704 (2006), which established the United Nations Integrated Mission in Timor-Leste (UNMIT), para 13.

[15] See Guidelines for the Development of Command Directives for the Force Commander and the Chief Military Observer in United Nations Peacekeeping Operations issued by the Department of Peacekeeping Operations, October 2001.

[16] The Group is of the view that sexual exploitation and abuse can impact on the mission. It taints and undermines the efforts of peacekeeping personnel and arguably falls within the Force Commander's operational control. This is also addressed in the Zeid report (A/59/710, para. 10).

lists of premises and areas that are off-limits to peacekeeping personnel,[17] imposing curfews and requiring contingent members to wear military uniforms when they are off duty.[18] A specific Code of Conduct on Sexual Exploitation and Abuse binding on all peacekeeping personnel was issued by the Special Representative in Liberia.[19] Many of these directives instruct contingent commanders to disseminate them and to ensure compliance by their contingent or unit members. This latter point reflects the fact that the Special Representative and the Force Commander do not have the authority to take disciplinary action to enforce the directives. That remains the exclusive right of the troop-contributing country.[20]

28. The Group is not aware of any objections having been raised to the authority of the head of mission or the Force Commander to issue such directives. The Group understands that contingent commanders have, in turn, issued these directives as orders to contingent members. In such circumstances, it is arguable that United Nations and State practice in the field support the existence of the authority of the head of mission or Force Commander to issue directives binding in international law on military contingents to regulate the conduct of their members, including conduct relating to sexual exploitation and abuse.

29. The authority of the head of mission or Force Commander to do so may be enhanced if the relevant Security Council resolution commits the Secretary-General to take all necessary action to give effect to the 2003 bulletin. Compliance with the standards of conduct set out in the bulletin could then be regarded as an operational matter since it defines the way in which the Council intended the mission to discharge its mandate.

30. The Group notes that the model command directives of the United Nations to Force Commanders include a requirement that the Force Commander ensure that military forces comply with the Secretary-General's bulletin of 6 August 1999 entitled "Observance by United Nations forces of international humanitarian law" (ST/SGB/1999/13). This is a useful precedent to show how an issue of significance to United Nations peacekeeping operations may be brought within the authority of the Force Commander.

31. **To reinforce the importance of the United Nations zero tolerance policy on sexual exploitation and abuse, the Group recommends that:**

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[17] This has been done in the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC); the United Nations Mission in Ethiopia and Eritrea (UNMEE); the United Nations Mission in Liberia (UNMIL); the United Nations Interim Administration Mission in Kosovo (UNMIK); the United Nations Operation in Côte d'Ivoire (UNOCI); and the United Nations Peacekeeping Force in Cyprus (UNFICYP).

[18] See, for example, MONUC Force Commander's Directive 31/05 dated 22 July 2005, which regulates all these matters.

[19] UNMIL Information Circular No. 2006/076 dated 25 April 2006. Codes of conduct which address sexual exploitation and abuse were also issued in the United Nations Integrated Office for Sierra Leone (UNIOSIL); the United Nations Operation in Burundi (ONUB); the United Nations Mission for the Referendum in Western Sahara (MINURSO); and MONUC. Similar codes are likely to exist for all peacekeeping operations.

[20] "The Organization does not discipline or promote individual members of military contingents, functions which remain the purview of their national authorities", see the report of the Secretary-General on command and control of United Nations peacekeeping operations (A/49/681), para. 6.

(a) The Directive to the Force Commander include a specific reference to the need to ensure compliance with the 2003 bulletin (ST/SGB/2003/13), and

(b) Heads of mission and/or Force Commanders issue directives prohibiting the conduct set out in that bulletin and requiring contingent commanders to disseminate those directives and ensure compliance.

Action by a troop-contributing country, contingent commanders and others in the chain of command

32. The Group notes that the General Assembly, in resolution 59/300, endorsed the recommendation of the Special Committee on Peacekeeping Operations[21] that the standards of conduct and behaviour set out in the 2003 bulletin apply to all categories of peacekeeping personnel. The Special Committee re-emphasized this position at its session held in 2006 (see A/60/19, para. 65). It seems to the Group that all troop-contributing countries are in a position to give effect to this recommendation by taking action to prohibit the conduct set out in the 2003 bulletin and to properly investigate and punish an offender. They can do so through formal legislative action by ensuring that where acts prohibited by the Bulletin amount to crimes under their national laws, those laws apply to crimes committed abroad by members of their national contingents.[22]

33. As discussed in the Zeid report (A/59/710, para. 78), the model status-of-forces agreement sets out the requirement for the Secretary-General to obtain assurances from Governments of participating States that they will be prepared to exercise jurisdiction with respect to crimes or offences which may be committed by members of their national contingents serving with the peacekeeping operation.

34. Formal legislative action is not essential, however, for a troop-contributing country to give effect to the 2003 bulletin under domestic law. While the Group has not reviewed the military law of all troop-contributing countries, it is self-evident that military commanders have the power or authority to issue commands that are binding on personnel within the commander's chain of command. Further, commands may be oral or in writing. Obedience to commands, irrespective of form, is an integral part of military discipline. The exercise of the power to issue binding commands and the requirement for obedience to such commands is reinforced in the troop-contributing country's domestic law by its military and/or criminal justice system.[23]

35. The issue of commands is also a mechanism for proscribing conduct that may not be considered criminal but which needs to be prohibited in certain cases. Commands could therefore be issued proscribing the conduct set out in the 2003 bulletin, even if not all the conduct prohibited by the bulletin would attract sanctions under the troop-contributing country's criminal laws.

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[21] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1), part two, chap. II, para. 8.

[22] The report of the first Group of Legal Experts (A/60/980) discusses the concept of criminal accountability in relation to United Nations officials and experts on mission.

[23] The extent to which a military justice or disciplinary system is able to take action for conduct that amounts to criminal conduct depends on the nature of the troop-contributing country's constitutional laws and criminal justice system and is outside the scope of the present report.

36. Such commands may be used either to implement the 2003 bulletin or to promulgate the relevant Force Commander's directives. At its simplest, a contingent commander could issue a command that all Force Commander directives are to be obeyed;[24] alternatively, the directives could be reproduced as instructions or orders, or standard operating procedures. Whatever the process involved, the standards are made binding on members of the national contingent and failure to comply with the command (as evidenced by failure to comply with the standards) can be investigated and punished in accordance with the troop-contributing country's military and/or criminal justice system.

37. The use of commands provides a way of making the standards of conduct set out in the 2003 bulletin binding on members of national contingents before a memorandum of understanding is signed. The Group understands that certain troop-contributing countries have in fact taken action under their military and/or criminal justice systems against persons who have engaged in sexual exploitation and abuse. This includes the dismissal from the military, custodial sentences and loss of rank. Such actions have been taken even though the 2003 bulletin has yet to be included in the memorandum of understanding.

38. **The Group recommends that:**

(a) **Troop-contributing countries consider taking formal legislative action to ensure that where acts prohibited by the 2003 bulletin amount to crimes under their national law, those laws apply to crimes committed abroad by members of their national contingent;**

(b) **The Department of Peacekeeping Operations reinstate the practice of receiving assurances from participating States on the exercise of criminal jurisdiction in accordance with the status-of-forces agreement; and**

(c) **Troop-contributing countries ensure that commands have been issued in a manner binding under their military and/or criminal justice system either proscribing the conduct set out in the 2003 bulletin and/or giving effect to the Force Commander's directives that relate to that bulletin.**

III. Second term of reference of the Group of Legal Experts

To study and propose to the General Assembly ways of standardizing the norms of conduct applicable to all categories of peacekeeping personnel, paying particular attention to the norms of conduct on sexual exploitation and abuse.

Observations on the mandate

39. The Group understands that the expression "norms of conduct" is not used in a technical sense. In the present report, "norms of conduct" is used as a generic term

[24] The Group understands that it is highly unlikely that a contingent commander will not give effect to a Force Commander's directive in this way. There is no guarantee, however, that the contingent commander will enforce his or her command, or that there are mechanisms in place to ensure compliance or that an alleged offender will be punished.

to mean all standards of conduct, however described and however imposed, whether by way of the Charter, rules, regulations, directives, contracts or other mechanisms.

40. The Group also understands that at the time the Special Committee issued its request for consideration of this term of reference, it may have been motivated by a concern that all categories of peacekeeping personnel should be subject to the same norms of conduct, particularly in relation to sexual exploitation and abuse. The Group notes that the Zeid report identified as a problem the fact that different components of a peacekeeping operation are governed by different rules and disciplinary procedures because they each have a distinct legal status (A/59/710, para. 14). The 2003 bulletin was directly applicable only to United Nations staff and did not apply of its own force to all components. Since that time, the legal instruments that govern experts on mission, contractors, consultants and United Nations Volunteers have been adjusted to make the 2003 bulletin applicable to those categories.[25]

Discussion

41. The Group approached this term of reference by reviewing instruments that set out norms of conduct for peacekeeping personnel and considering the general nature of those norms (see annex II).

42. As the annex to the Zeid report and annex II to the present report illustrate, norms of conduct are imposed on different categories of peacekeeping personnel by different instruments. They are imposed on United Nations staff members by the Charter of the United Nations and the Staff Regulations and Rules, which incorporate bulletins, instructions and directives; on experts on mission by the terms of their employment; on consultants and contractors by the terms of their contract; on United Nations Volunteers by their Conditions of Service and Rules of Conduct; and on members of national contingents by applicable laws, rules and regulations and by obligations placed on the troop-contributing country through the memorandum of understanding or equivalent document.

43. An analysis of those instruments shows that the same basic norms of conduct are generally applicable to all categories of peacekeeping personnel. For example, all personnel are required not to engage in any activity that is incompatible with the discharge of their duties with the United Nations or that would adversely reflect on the Organization. As the Zeid report notes, "the basic standards of conduct and integrity required of the various categories of peacekeeping personnel — set out in the Staff Regulations and Rules, the Ten Rules and We Are United Nations Peacekeepers — are similar because they are all derived from principles established in Article 101, paragraph 3, of the Charter, which requires the highest standards of integrity of United Nations officials" (A/59/710, para. 21).

44. Where there are differences, they largely result from having mission-specific rules, and specific rules for different categories of peacekeeping personnel that cannot readily apply to other categories. For example, curfews may differ from

[25] The first part of the present report addresses the way in which the 2003 bulletin can be made applicable to members of national contingents before the memorandum of understanding or other document is signed and notes that there are negotiations to amend the model memorandum of understanding.

mission to mission and even for different areas of the mission. Wearing uniforms and the requirement to pay compliments to colleagues and superiors are only relevant to uniformed categories of peacekeeping personnel.

45. The analysis also shows that different categories of peacekeeping personnel are subject to different consequences for failure to comply with those norms of conduct:

(a) United Nations staff members are subject to disciplinary action by the United Nations and may face criminal prosecution;[26]

(b) Experts on mission will be subject to administrative action by the United Nations, usually repatriation, and possible criminal prosecution;

(c) Contractors and consultants will have their contracts terminated and may also face criminal prosecution; and

(d) Members of national contingents may face administrative action by the United Nations, usually repatriation, and may be subject to the military and/or criminal justice systems of their sending State.

Standardizing norms of conduct

46. The Group understands that the idea of uniform and binding standards that apply to all categories of peacekeeping personnel in all situations may seem attractive to exhibit fairness and consistency across the mission. However, as the different categories of peacekeeping personnel serve the United Nations under different terms and conditions and perform different functions, having a single set of norms in relation to all conduct and for all categories of peacekeeping personnel is neither practical nor necessary.[27]

47. Notwithstanding this conclusion, there may be specific issues that are of significance to the United Nations where a common set of norms is justified. For example, issues that are likely to prejudice the operation of a peacekeeping mission and/or adversely impact on the credibility of the United Nations may warrant such treatment. Sexual exploitation and abuse is one such issue. In such cases, **the Group recommends that consideration should continue to be given to applying the same norms of conduct to all categories of peacekeeping personnel in relation to those significant issues.** If there is a need to do so, there are existing mechanisms by which this can be achieved (see para. 42 above).

Standardizing specific documents

48. As paragraph 43 above notes, all categories of peacekeeping personnel are subject to essentially the same basic norms of conduct.

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[26] For all categories, criminal prosecution will depend on whether the conduct amounts to a criminal offence in the host State or another State with jurisdiction over the alleged offender and the waiver of any applicable immunity.

[27] The Group notes that standardizing norms of conduct would not result in standardizing disciplinary regimes or sanctions.

49. Some of those basic norms are currently set out in a convenient form for military personnel in the two pocket guides "We Are United Nations Peacekeepers" and "Ten Rules: Code of Personal Conduct for Blue Helmets" (Ten Rules). There is no convenient guide, however, that summarizes the basic norms for all categories of peacekeeping personnel.

50. The Group considers that there is merit in having such a guide. First, it would give prominence to important norms of conduct required of all peacekeeping personnel. Secondly, it would reinforce the fact that peacekeeping personnel, whether civilian or non-civilian, are part of a common enterprise. Thirdly, it would result in a handy guide that sets out basic norms applicable to all categories of peacekeeping personnel.[28] Finally, if the document can be issued as a Secretary-General's bulletin, it would have certainty of status, which the "We Are United Nations Peacekeepers" and the Ten Rules lack.[29]

51. The document should be readily accessible to all peacekeeping personnel, be written in clear, unambiguous language and be translated into all relevant languages.

52. The Group identifies two options for a document that sets out the basic norms of conduct for all categories of peacekeeping personnel.

First option — making "We Are United Nations Peacekeepers" applicable to all categories of peacekeeping personnel

53. The simplest way of generating such a guide is to make minor amendments to "We Are United Nations Peacekeepers" to make it applicable to all categories of peacekeeping personnel. This achieves the objectives set out in paragraph 50 above with minimum changes to an existing document.

54. An indicative draft of a document entitled "We Are United Nations Peacekeeping Personnel" is contained in annex III to the present report. This document is based on the existing document with recommended changes highlighted and could be issued as a pocket guide to all categories of peacekeeping personnel.

55. The Group understands that "We Are United Nations Peacekeepers" has acquired considerable acceptance in the field, is familiar to troop-contributing countries and forms the basis of training conducted by the Department of Peacekeeping Operations. While the Group has amended "We Are United Nations Peacekeepers" to incorporate the principles underlying the 2003 bulletin and made minor textual changes, it is of the view that more substantive amendments to the content of the guide are matters of policy.

Second option — a new document

56. The second option is to develop a new guide that sets out the basic norms of conduct that are currently common to all categories of peacekeeping personnel. This

[28] The basic norms themselves are not new but there may be minor differences in the way each is expressed.

[29] The advantage of a Secretary-General's bulletin is that it could apply to United Nations personnel who are not assigned to the peacekeeping operation but who are working in the mission area.

document would replace "We Are United Nations Peacekeepers" and the Ten Rules. Annex IV sets out an indicative draft of such a guide that is drawn from instruments that already apply and bind peacekeeping personnel (see annex II).

57. As with the first option, the document proposed at annex IV achieves the objectives set out in paragraph 50 above and provides non-military, as well as military, peacekeeping personnel with a readily accessible pocket guide. It incorporates the principles of the 2003 bulletin and overcomes some ambiguities in the language of existing documents.

58. As the guide has been generated from norms of conduct which apply to all categories, it does not contain norms that are applicable only to specific categories of peacekeeping personnel. For example, the requirements relating to behaviour as a soldier, the treatment of detainees and the observance of military courtesy, which apply primarily to the military and are contained in the Ten Rules, have been excluded. Also excluded has been the express prohibition in the Staff Regulations against engaging in any outside occupation or employment, which is not included in the standard conditions of contract for individual contractors (ST/AI/1999/97).

59. If there are, however, norms of conduct that have been omitted from the guide and are important to a particular category of personnel, there are existing mechanisms to make those norms applicable to the relevant category. For example, the Ten Rules could be retained if they are regarded as sufficiently important to the conduct of military personnel as to require that they be expressly highlighted to military personnel in a pocket guide.

Conclusion

60. Notwithstanding the practical difficulty of standardizing norms of conduct for all issues, it is possible to produce a guide that sets out the basic norms of conduct applicable to all peacekeeping personnel. Two options for doing so have been identified. Each option has the effect of standardizing the conduct proscribed by the 2003 bulletin. The decision as to whether either option is pursued and what should or should not be included in such a document, however, are matters of policy which need to be addressed by the Department of Peacekeeping Operations in consultation with relevant stakeholders.

Annex I

Terms of reference of the Group of Legal Experts

To advise on making the standards contained in the Secretary-General's bulletin binding on contingent members and standardizing the norms of conduct so that they are applicable to all categories of peacekeeping personnel

Constitution and composition

Pursuant to General Assembly resolution 59/300 of 22 June 2005, a Group of Experts shall be established:

(a) To provide advice to the General Assembly on whether, and if so how, the standards in the Secretary-General's bulletin (ST/SGB/2003/13) could bind contingent members in the period prior to the conclusion of a memorandum of understanding or other agreement or other action by a troop-contributing country that incorporates those standards in a legally effective way under its national law; and

(b) To study and propose to the General Assembly ways of standardizing the norms of conduct applicable to all categories of peacekeeping personnel, paying particular attention to the issue of sexual exploitation and abuse.

The Group of Experts shall be composed of three legal experts and one secretary, who together shall have expertise in public international law, military law, police law, United Nations peacekeeping law and practice and the personnel law of the United Nations.

Mandate

To study and provide advice to the General Assembly on whether, and if so how, the standards in the Secretary-General's bulletin on special measures for protection from sexual exploitation and abuse (ST/SGB/2003/13) could be made binding on members of national contingents assigned to the military component of a United Nations peacekeeping operation prior to the conclusion of a memorandum of understanding or other agreement between the United Nations and the troop-contributing country concerned or prior to any other action by the troop-contributing country that has the effect of incorporating those standards in a legally effective way as part of its national law.

To study and propose to the General Assembly ways of standardizing the norms of conduct applicable to all categories of peacekeeping personnel, paying particular attention to norms of conduct on sexual exploitation and abuse.

Report

The Group of Experts shall submit a report of its findings and recommendations to the Secretary-General by January 2007, who will submit the findings and recommendations to the General Assembly at its sixty-first session.

Secretariat

The Group of Experts shall be assisted by a Secretary and such other staff as may be necessary.

The Group of Experts shall also have at their disposal representatives of the United Nations Department of Peacekeeping Operations and the United Nations Office of Legal Affairs to ensure that the Group properly takes account of United Nations peacekeeping law and practice. It shall further have at its disposal representatives of the Human Resources Policy Service of the United Nations Office of Human Resources Management to clarify any matters concerning the United Nations Staff Regulations and Rules, as necessary.

Location and time frame

The Group of Experts shall be based in New York, and shall complete its work within 10 weeks of the start of the project.

Annex II

Standards of conduct for United Nations peacekeeping personnel

United Nations staff

1. All United Nations staff are appointed by the Secretary-General under Article 101, paragraph 1, of the Charter of the United Nations, under regulations promulgated by the General Assembly. Paragraph 3 of the same article requires that the staff be persons of the "highest standards of integrity". Article 100 requires both the Secretary-General and the staff to "refrain from any action which might reflect on their position as international officials responsible only to the Organization".

2. The Staff Regulations, most of which are broad imperatives, "embody the fundamental conditions of service and the basic rights, duties and obligations of the United Nations Secretariat". By signing their Letter of Appointment, United Nations staff agree to be bound by the Staff Regulations issued by the General Assembly, and the more detailed Staff Rules, issued by the Secretary-General pursuant to the Staff Regulations. The Staff Rules are augmented by the Secretary-General's bulletins, and by administrative instructions or personnel directives issued by senior officers to whom the Secretary-General has delegated authority. References to the Staff Regulations and Rules in contracts and other official documents are deemed to include all explanatory bulletins, instructions and directives. Thus the detailed provisions of 2003 bulletin constitute conditions of employment for United Nations staff, and for the staff of separately administered organs and programmes of the United Nations, who serve on secondment to the Department of Peacekeeping Operations when they go on peacekeeping missions.

3. Article 1 of the Staff Regulations sets out the basic rights and obligations of staff members, which include, inter alia, the obligation to uphold and respect the principles set out in the Charter, including faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, the obligation not to discriminate against any individual or group of individuals or otherwise abuse the power and authority vested in them. They are required to conduct themselves at all times in a manner befitting their status as international civil servants and not to engage in any activity that may adversely reflect on their status.

4. United Nations staff are required to follow the directions and instructions properly issued by the Secretary-General and their supervisors. They are required to comply with local laws and honour their private legal obligations, including the obligation to honour orders of competent courts. Any form of discrimination or harassment, including sexual or gender harassment, as well as physical or verbal abuse at the workplace or in connection with work, is prohibited. The "Standards of conduct for the international civil service"[a] does not have the force of law but has been continually cited by successive Secretaries-General and by the United Nations Administrative Tribunal in assessing the conduct of staff. Many of the provisions of article 1 of the Staff Regulations are drawn from the Standards, which also require

[a] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 30* (A/56/30), annex II.

that staff bear in mind that their conduct and activities outside the workplace, even if unrelated to official duties, can compromise the image and the interests of the Organization.

Experts on mission — including United Nations police and military observers

5. On appointment, United Nations police and military observers sign an undertaking in which they agree to comply with all mission standard operating and administrative procedures, directives, and other issuances, including the "Ten Rules: Code of Conduct for Blue Helmets" and the "We Are United Nations Peacekeepers". This undertaking has been amended to include the standards of the 2003 bulletin (A/60/19, para. 65). Additionally, guidelines for both United Nations police and military observers are distributed, with detailed provisions on conduct, including a prohibition on abuse or exploitation of the local population, particularly women and children, and a requirement to show respect and courtesy towards all (A/59/710, paras. A.18-A.20).

6. United Nations police and military observers are not United Nations officials, as defined in the Charter and the Staff Rules. The model status-of-forces agreement (A/45/594, annex), which forms the basis for the negotiations between the United Nations and the host country, confers on these individuals the status of experts on mission under the Convention on the Privileges and Immunities of the United Nations.[b] The General Assembly, in its resolution 56/280 of 27 March 2002, adopted a set of Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission. This document, which was promulgated by the Secretary-General in June 2002 as a Secretary-General's bulletin (ST/SGB/2002/9), sets out standards of conduct which largely repeat the basic values set out in paragraphs 2 and 3 in the present annex, particularly the requirement to uphold the highest standards of integrity, to regulate their conduct with the interests of the Organization only in view, to conduct themselves at all times in a manner befitting their status, and to comply with local laws. Any form of discrimination or harassment, including sexual or gender harassment, as well as physical or verbal abuse, is prohibited. The Regulations form part of the contract of employment or terms of appointment of experts on mission. A copy is attached to the documentation from the United Nations regarding their mission, and the experts are required to acknowledge receipt of the Regulations.

Contractors and consultants

7. Contractors are retained under standard conditions of contract specified in administrative instruction ST/AI/1999/7. This instruction prohibits the contractor taking any action that may adversely affect the interests of the United Nations, and requires him/her to perform obligations under the contract with the fullest regard to the interest of the United Nations.

8. This administrative instruction was amended in March 2006 (ST/AI/1999/7/Amend.1) to include a requirement that contractors not engage in

[b] United Nations, *Treaty Series*, vol. I, No. 4.

any conduct prohibited by the 2003 bulletin. The contractor must agree that any breach of the prohibition against sexual exploitation and abuse will constitute a breach of an essential term of the contract, and will constitute grounds for termination of the contract, and that the United Nations reserves the right to refer any breach of this standard to the relevant national authorities for appropriate legal action.

9. Consultants are individuals with special skills that are not readily available in the Secretariat. They may perform functions similar to staff members but for short periods of time. Consultants are regarded as individual contractors and have the status of neither staff nor experts on mission unless they are required by the Organization to travel, in which case they may be accorded expert on mission status. Under the revised administrative instruction, consultants are subject to the same Standards of Conduct as contractors, and in their contract with the Organization, they are required to acknowledge that the General Conditions of Contract form an integral part of their contract and that they have read, understood, and agree to abide by the 2003 bulletin.

United Nations Volunteers

10. United Nations Volunteers are not staff or officials, and their status under the Convention on the Privileges and Immunities of the United Nations is subject to negotiated agreements with the host countries. Recent status-of-forces agreements grant them the status of officials.[c] They serve under a separate set of rules, the United Nations Volunteer Conditions of Service and Rules of Conduct, which has been revised to include a paragraph forbidding any form of discrimination or harassment, including requests for sexual favours, or gender harassment, and prohibiting sexual exploitation and abuse. The Conditions of Service contain the general requirement to regulate their conduct in the interest of the United Nations, and the prohibition against any activity incompatible with the proper discharge of their duties. The Conditions of Service[d] have been revised to ensure that they are bound by the specific prohibitions of the 2003 bulletin as a condition of their assignment.

Members of national contingents

11. Military members of national contingents are subject to the exclusive jurisdiction of their sending State for the purposes of the exercise of disciplinary and/or criminal jurisdiction in relation to crimes that are committed on peacekeeping operations. Notwithstanding, their codes of conduct may be prescribed by the United Nations (in the exercise of operational authority and/or operational control) as well as by the rules and regulations of the sending State. Although the 2003 bulletin does not apply directly to contingent members, the first

[c] See, for example, the Agreement between Liberia and the United Nations concerning the Status of the United Nations Mission in Liberia, para. 27, and the Agreement between the United Nations and the Government of Haiti concerning the Status of the United Nations Stabilization Mission in Haiti, para. 27.

[d] See revised appendix XVII to the Conditions of Service for International United Nations Volunteers.

part of the present report sets out how the standards in the 2003 bulletin can be made to apply to members of national contingents in the period before a memorandum of understanding is signed and also notes that negotiations are currently ongoing to incorporate the 2003 bulletin into the model memorandum of understanding or equivalent document.

Annex III

We Are United Nations Peacekeeping Personnel

The United Nations Organization embodies the aspirations of all the people of the world for peace.

In this context the United Nations Charter requires that all personnel must maintain the highest standards of integrity and conduct.

We will comply with the Guidelines on International Humanitarian Law for Forces Undertaking United Nations Peacekeeping Operations and the applicable portions of the Universal Declaration of Human Rights as the fundamental basis of our standards.

We, as peacekeeping personnel, represent the United Nations and are present in the country to help it recover from the trauma of a conflict. As a result we must consciously be prepared to accept special constraints in our public and private lives in order to do the work and to pursue the ideals of the United Nations Organization.

We will be accorded certain privileges and immunities arranged through agreements negotiated between the United Nations and the host country solely for the purpose of discharging our peacekeeping duties. Expectations of the world community and the local population will be high and our actions, behaviour and speech will be closely monitored.

We will always:

- Conduct ourselves in a professional and disciplined manner, at all times;
- Dedicate ourselves to achieving the goals of the United Nations;
- Understand the mandate and mission and comply with their provisions;
- Respect the environment of the host country;
- Respect local laws, customs and practices and be aware of and respect culture, religion, traditions and gender issues;
- Treat the inhabitants of the host country with respect, courtesy and consideration;
- Act with impartiality, integrity and tact;
- Support and aid the infirm, sick and weak;
- Obey our United Nations superiors/supervisors and respect the chain of command;
- Respect all other peacekeeping members of the mission regardless of status, rank, ethnic or national origin, race, gender, or creed;
- Support and encourage proper conduct among our fellow peacekeeping personnel;
- Report all acts involving sexual exploitation and abuse;
- Maintain proper dress and personal deportment at all times;

- Properly account for all money and property assigned to us as members of the mission; and
- Care for all United Nations equipment placed in our charge.

We will never:

- Bring discredit upon the United Nations, or our nations through improper personal conduct, failure to perform our duties or abuse of our positions as peacekeeping personnel;
- Take any action that might jeopardize the mission;
- Abuse alcohol, use or traffic in drugs;
- Make unauthorized communications to external agencies, including unauthorized press statements;
- Improperly disclose or use information gained through our employment;
- Use unnecessary violence or threaten anyone in custody;
- Commit any act that could result in physical, sexual or psychological harm or suffering to members of the local population, especially women and children;
- Commit any act involving sexual exploitation and abuse, sexual activity with children under 18, or exchange of money, employment, goods or services for sex;
- Become involved in sexual liaisons which could affect our impartiality, or the well-being of others;
- Be abusive or uncivil to any member of the public;
- Wilfully damage or misuse any United Nations property or equipment;
- Use a vehicle improperly or without authorization;
- Collect unauthorized souvenirs;
- Participate in any illegal activities, corrupt or improper practices; or
- Attempt to use our positions for personal advantage, to make false claims or accept benefits to which we are not entitled.

We realize that the consequences of failure to act within these guidelines may:

- Erode confidence and trust in the United Nations;
- Jeopardize the achievement of the mission;
- Jeopardize our status and security as peacekeeping personnel; and
- Result in administrative, disciplinary or criminal action.

Annex IV

Code of Personal Conduct for United Nations Peacekeeping Personnel

1. Conduct yourself at all times in such a way as to bring credit and respect to the United Nations and the principles for which it stands, which include faith in fundamental human rights, the dignity and worth of the human person, and equal rights for men and women. Do not engage in activity that is incompatible with the discharge of your duties. Discharge your duties in a professional and disciplined manner.

2. Maintain the highest standards of integrity in your professional and personal life. Integrity encompasses such qualities as honesty, fairness, truthfulness, impartiality and incorruptibility.

3. Comply with the laws of the host country; respect the local traditions, customs, religion, culture and the environment; and honour your private obligations, including orders of competent courts.

4. Do not solicit, give or receive any favour, gift or material reward from any outside source, including the people of the host country, in connection with the performance of your duties.

5. Do not seek or receive instructions in regard to the performance of your duties from any source external to the mission.

6. Treat your colleagues with courtesy and consideration, regardless of status, ethnic or national origin, race, gender or creed. Treat the local inhabitants with respect. Protect and support vulnerable populations, especially women and children.

7. The following acts, among others, are prohibited: cruel, humiliating or degrading treatment; rape; sexual assault; exchange of money, employment, goods or services for sex; trafficking in persons; sexual activity with children under 18; theft; smuggling; fraud; any illegal, corrupt or improper practices; abuse of alcohol; abuse of or trafficking in drugs; and any form of discrimination or sexual harassment.

8. Take proper care of United Nations vehicles, property, and equipment, and use these only for authorized purposes. Properly account for all United Nations money and assets.

9. Use the utmost discretion in handling confidential information and matters of official business. Do not communicate information known to you by reason of your official position to any external person or entity unless authorized to do so.

10. Obey your United Nations supervisors and your superior officers. Ensure that these rules are observed by those under your supervision.

United Nations A/61/646

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Agenda item 153
Requests for observer status in the General Assembly

Request for observer status for the Islamic Development Bank Group

Letter dated 15 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations addressed to the Secretary-General

I have the honour to request observer status for the Islamic Development Bank Group in the General Assembly. Submitted herewith are a letter from Ahmad Mohammed Ali, President of the Islamic Development Bank Group, in Jeddah, Saudi Arabia, addressed to you (see annex I), an explanatory memorandum (annex II) in support of the request and a draft resolution (see annex III), in accordance with rule 20 of the rules of procedure.

I have the honour to request further that the present letter and its annexes be circulated as a document of the General Assembly.

(*Signed*) Abduliatif H. **Sallam**
Chargé d'affaires a.i.

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Annex I to the letter dated 15 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations addressed to the Secretary-General

On behalf of the Islamic Development Bank (IsDB) Group, I wish to request the United Nations to grant the IsDB Group the status of observer with the United Nations General Assembly.

As you know, the IsDB is a multilateral development bank belonging to 56 member countries with an authorised capital equivalent to US$45 billion. Headquartered in Jeddah, Saudi Arabia, the IsDB was established, in 1975, to foster socio-economic development in its member countries. In doing so, IsDB has made fighting poverty and promoting cooperation amongst member countries its main strategic objectives and the basis of its operational activities. To date, the IsDB has provided some US$50 billion of development assistance to its constituency. It currently commits annually US$4 billion of financing, around half of which targets development programs and projects. Presently, the IsDB is in the process of establishing a US$10 billion poverty alleviation fund to further strengthen its poverty reduction focus, in the framework of the Millennium Development Goals (MDGs).

Furthermore, the IsDB is working closely with its development partners, most especially the donor community, on implementing a number of major global aid policy initiatives, including the Monterrey Consensus and the ensuing "Rome Declaration on Harmonisation" and the "Paris Declaration on Aid Effectiveness", and debt relief.

It is my conviction that the observer status, for which the IsDB is aspiring, will pave the way for a stronger partnership for development between the United Nations and the IsDB, in general, and towards the attainment of the MDGs by 2015, in particular.

(*Signed*) Dr. Ahmad Mohamed Ali
President, IsDB Group

Annex II to the letter dated 15 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations addressed to the Secretary-General

Explanatory memorandum

Established in 1975, the Islamic Development Bank (IsDB) is a multilateral development bank with a mandate to promote economic development and social progress in its member countries, individually as well as collectively, in accordance with the ethos of Islam. This basically means that the IsDB is not allowed to deal with interest-bearing financial instruments, be it for extending financing or for resource mobilisation purposes. Another unique feature of the IsDB is its membership, which consists exclusively of developing countries, making it a fairly unique South-South partnership model based on solidarity and trust. This membership grew from 22 founding countries, in 1975, to 56 member countries in 2006. Over the same period, the IsDB's authorised capital grew manifolds and currently stands at the equivalent of $45 billion.

In pursuit of its mandate, the IsDB focuses on mainly poverty alleviation and cooperation amongst member countries. The IsDB's assistance targets primarily the following priority areas: human development, agriculture development and food security, infrastructure development, trade amongst member countries and private sector development. To obtain support, investment proposals must have a strong developmental focus and be technically, economically, financially, environmentally and socially sound. A triple-A rated bank, the IsDB operates from its headquarters in Jeddah, Saudi Arabia, and from regional offices in Kazakhstan, Malaysia, Morocco and, soon, Senegal.

The IsDB Group, as it is now known, also comprises the Islamic Research and Training Institute (IRTI, 1981), the Islamic Corporation for Insurance of Investment and Export Credit (ICIEC, 1994), the Islamic Corporation for the Development of the Private Sector (ICD, 1999), and the International Islamic Trade Finance Corporation (ITFC, 2006).

As an inter-governmental organisation, the IsDB has been actively engaged in international development for over three decades and has worked closely with a number of UN agencies and programs, while supporting its member countries. Furthermore, the recent establishment of the IsDB poverty alleviation fund provides a unique opportunity to further cement the partnership for development between the United Nations and the IsDB. Indeed, the reaction to the announcement of this $10 billion fund, in late November 2006, at the United Nations General Assembly, meeting in an informal session, clearly demonstrated the interest of the latter.

For this reason, the participation of the IsDB as an observer at the proceedings of the General Assembly would pave the way for a stronger cooperation between the United Nations and the IsDB to the great benefit of our mutual member countries.

Summary of IsDB Group Operations

A. Overview of IsDB group financing

As of October 2006, the IsDB Group's cumulative commitments reached $44.7 billion (gross commitments totalled $51.6 billion) covering some 5,200 operations, including

1,900 trade finance operations totalling $26.5 billion. It disbursed $31.9 billion over the same period, including $2.6 billion in 2005 during which it also committed $4 billion.

Aggregate long-term financing commitments for development projects and programs, the bulk of which was in the public sector, currently stand at $17.1 billion, including $4.1 billion of highly concessional loans targeting 674 operations mainly in IsDB least developed-member countries in Africa and Asia. Furthermore, aggregate grant financing for technical assistance, capacity building, small community-based projects and scholarship programs totalled $818 million, as of October 2006. Private sector financing, which represents around 10 percent of total financing volume, currently stands at around $4 billion—including trade finance.

B. Overview of long-term financing

Long-term financing commitments in 2005 totalled $2.1 billion and targeted 130 operations in 44 member countries, including 63 operations in least developed member countries. Cumulatively, the IsDB's long-term financing commitments ($17.1 billion) targeted 6 sectors: education and health (21 percent); transport and communications (20 percent); agriculture (11 percent); public utilities [water and power] (31 percent); industry (11 percent); and financial services and others (6 percent).

C. Overview of grant programs

The IsDB's aggregate grant financing stood at $818 million, as of October 2006. In 2006, the IsDB allocated $45 million for its various grant programs. These included technical assistance for capacity building, project preparation and regional programs ($12 million); technical cooperation program ($2.1 million); scholarship program ($7.5 million); science and technology program ($5.1 million); NGOs and "women-in-development" program ($0.7 million); economics and finance research and training program ($9 million); and community-based projects mainly in non-member countries ($8.4 million).

D. Overview of commitment to Africa and to fighting poverty

By early 2002, the IsDB Group's assistance, including trade finance, to African member countries totalled $26 billion. To reiterate its unequivocal commitment to Africa's development, the IsDB Group adopted, in late 2002, a special program for Africa in response to the New Partnership for Africa's Development (NEPAD). Known as the "Ouagadougou Declaration on IsDB Group Cooperation with Africa", this program pledged a $2 billion assistance package to least developed member countries over 5 years (2003-2007). By October 2006, more than 80 percent of this package had been provided.

Furthermore, in 2006, the IsDB launched a $10 billion poverty alleviation fund, which will become operational in the second half of 2007. Both Saudi Arabia and Kuwait have already pledged initial contributions of $1 billion and $300 million, respectively, for this fund, which will provide highly concessional financing. The fund's priority areas will be within the framework of the MDGs, with a special focus on primary education

(particularly for girls); health (with a focus on malaria, tuberculosis, HIV/AIDS and other communicable diseases); agriculture; micro-finance; and infrastructure development. The fund will also support a major anti-malaria program for Africa, in partnership with WHO.

E. Overview of debt relief (Heavily Indebted Poor Countries Initiative)

To reinforce its commitment to assist least developed member countries in Africa, to achieve the MDGs, the IsDB joined the HIPC Initiative and is providing debt relief to its 13 eligible member countries. The cost of IsDB's share of debt relief under the Initiative is estimated at around $150 million (0.76 percent of multilateral creditors' share).

F. Overview of education and research commitments

Historically, the IsDB's assistance in the education sector represents around 10 percent of its aggregate long-term financing commitments with $1.6 billion. However, the past few years witnessed a stronger engagement in the education sector, which now represents 15 percent of the IsDB's current portfolio with $760 million. Presently, the IsDB commits annually around $150 million in the education sector. Furthermore, the IsDB has pledged $300 million, over a five-year period, towards the implementation of a bilingual education program, in partnership with UNESCO, in least developed member countries in Africa to promote school enrolment, especially for girls.

Over the past 4 years, the IsDB committed $390 million for the financing of 44 science and technology-related operations. It has also provided grant financing totalling $25 million, since 1996, for a groundbreaking regional program, known as the International Centre for Biosaline Agriculture (ICBA), an agricultural research and development organisation, established by the IsDB, dedicated to harnessing saline water resources for agricultural production. Moreover, to emphasise its commitment to science and technology, the IsDB awards annually 3 prizes in science and technology, worth $100,000 each, one of which must go to a least developed member country, in recognition for outstanding achievements in science and technology, and its contribution to social and economic development.

The IsDB's involvement in the education sector led to the establishment of around 4,600 schools, 600 secondary schools, 205 vocational training centres and 60 university, colleges and other educational facilities. More than 3 million students are estimated to have benefited from the IsDB's intervention in the education sector. Furthermore, it is estimated that 8,000 students worldwide and 18,000 trainees benefited from the IsDB's scholarships and training programs, respectively.

G. Overview of emergency aid and special assistance

According to the recently published "Natural Disaster Hotspots: A Global Risk Analysis", a report jointly prepared by the World Bank and Columbia University, as many as 29 (out of 56) IsDB member countries are located in disaster-prone areas. Unsurprisingly, the IsDB finds itself quite frequently involved in disaster relief and

recovery operations in its member countries. In 2005, following the Indian Ocean Tsunami, the IsDB provided a $500 million emergency assistance package to 3 member countries, namely, Indonesia, Maldives and Somalia, and 3 non-member countries, namely, India, Sri Lanka and Thailand. In late 2005, following the earthquake that devastated parts of Pakistan and India, the IsDB provided, in two stages, an assistance package totalling $501.6 million to assist the Government of Pakistan in the reconstruction of the areas affected by the earthquake. Furthermore, the IsDB, in partnership with UNDP, is currently providing special assistance in conflict-affected areas such as Afghanistan and the Palestinian territories.

Furthermore, the IsDB, in partnership with the Global Facility for Disaster Reduction and Recovery (GFDRR), an initiative spearheaded by the World Bank and the UN-ISDR (International Strategy for Disaster Reduction), is to assist its member countries in the implementation of the "Hyogo Framework", a blue print for disaster reduction efforts for the period 2005-2015.

H. Overview of energy commitments

Aggregate commitments in the power sector reached $2.7 billion, as of October 2006. This assistance focused on power generation, transmission and distribution. Furthermore, the IsDB strongly supported (regional) hydropower development in Africa, including programs along the Senegal, Niger and Gambia Rivers, which attracted over $200 of IsDB financing. The IsDB also supports development of regional power programs such as the West African Power Pool (WAPP).

In the last three years alone, the IsDB committed around $1 billion for power generation, transmission and distribution projects. This assistance targeted both green-field and brown-field projects, which focused mainly on energy efficiency and emission control, through the conversion of existing power plants into combined cycle power generation systems, and the reduction of losses through upgraded transmission systems.

In 2006, the IsDB participated in the elaboration of the World Bank-led "Clean Energy and Development Investment Framework". Furthermore, the IsDB is currently studying a proposal to implement the Kyoto Protocol's (UNFCCC) provisions known as the Clean Development Mechanism, which underpin the development of a carbon finance market.

I. Overview of water commitments

Water financing historically accounts for 15 percent of the IsDB's aggregate long-term commitments. As of October 2006, the IsDB provided around $2.5 billion of assistance to 45 countries through some 250 water-related projects worth in excess of $10 billion. Of this allocation, 60 percent targeted water supply and sanitation, while 35 percent was devoted to irrigation and 5 percent to hydropower projects. Around 20,000 water points were provided for rural communities in Africa. In 2005, the IsDB committed $288 million for the financing of 12 water-related projects in 11 countries. Of these commitments, $239 million targeted water supply and sanitation projects in 7 countries.

Furthermore, the IsDB is heavily involved in the organisation of the triennial World Water Forum. It is also actively involved with the World Water Council and the Global Water Partnership and supports the activities of the African Ministers' Council on Water (AMCOW). It is also a member of the Task Force, chaired by the OECD Secretary-General, on "Financing Water for All".

J. Overview of food and agriculture aid commitments

The IsDB's assistance in the agriculture (and rural development) sector totalled around $1.9 billion, as of October 2006, and targeted primarily irrigation schemes, improved agricultural production and micro-credit schemes. Presently, the IsDB's agriculture portfolio represents around 10.5 percent of the active long-term finance portfolio with $690 million covering 87 operations. Cumulatively, the IsDB supported some 188 irrigation and land development projects with a total area of over 1 million hectares.

K. Overview of health commitments

The IsDB's assistance in the health sector totalled around $1 billion, as of October 2006, and led to the establishment of more than 2,700 primary healthcare units, close to 100 district/regional hospitals, and a number of specialist hospitals in 40 member countries. Currently, the health portfolio represents 7 percent of the IsDB long-term finance portfolio with $440 million covering 64 operations. In 2006, following the outbreak of highly pathogenic Avian Influenza, the IsDB pledged $103 million of combined loan and grant financing to assist its concerned member countries, in partnership with FAO, in preventing and controlling Bird Flu. Furthermore, it is currently designing an anti-malaria program, in partnership with WHO, for its member countries in Africa.

L. Overview of transport commitments

In the transport sector (land, air and water transport), the IsDB's assistance totalled around $3 billion, with the lion's share (70 percent) going to land transport and 20 percent to water and 10 percent to air transport. As of October 2006, the transport and communication portfolio represented 22 percent of the IsDB's long-term finance portfolio with around $1.6 billion.

The IsDB's intervention focused primarily on regional land transport, mainly road projects in land-locked member countries in Africa and Central Asia. As of October 2006, the IsDB supported the financing of over 200 road projects. In Africa, most IsDB-financed road projects focused on developing the east-west (Trans-Sahelian) and north-south (Trans-Saharan) corridors, in order to promote trade between member countries.

M. NGOs and women-in-development program

The IsDB's "NGOs and Women-in-Development" program was established in the late 1990s. Currently, it provides 0.7 million annually in grant financing and supports primarily community-based women advancement programs. In recognition to the

important role of women in development, the IsDB instituted the Women's Contribution in Development Prize. Awarded annually, the Prize, of a value of $100,000 (if awarded to an organisation) and $50,000 (if awarded to an individual), recognises achievements in alleviating poverty, entrepreneurship and outstanding contributions to the community.

N. Overview of trade financing operations

Another fairly unique feature of IsDB is its long-term involvement in trade finance. Trade finance is one of the IsDB's major activities and represents historically around 60 percent of the IsDB's aggregate commitments with $26.5 billion. The IsDB has always recognised the importance of trade finance as a means to strengthen economic cooperation amongst its member countries. Through the exchange of much-needed intermediate and capital goods, the IsDB has helped in addressing poverty in member countries by stimulating economic growth and diversifying production. Trade has also permitted specialization, leading to gains from economies of scale. The goods commonly traded are crude oil, cotton, jute, refined petroleum products, steel, vegetable oil, cement, fertilizers, agro-processing machinery, and railway rolling stocks.

O. Overview of partnership for development commitment

Building partnerships and working closely with development partners has been the IsDB's philosophy since its inception—its very first operation, in 1976, was co-financed with a number of bilateral and multilateral donors. The IsDB's collaborates closely with UN bodies, the World Bank, regional development banks, bilateral donors, private sector and NGOs, the aim being to improve aid coordination and effectiveness. Co-financing is the yardstick by which the effectiveness of partnerships can be measured. In 2005, the IsDB co-financed 15 projects in 12 member countries worth $1.7 billion, of which the IsDB contributed $368 million (or 22 percent of the total cost of the projects). In addition, the IsDB collaborates closely with a number of UN bodies such as UNDP, UNCTAD, ITC, FAO, UNESCO, WHO, UNIDO, UNEP and IFAD.

P. The way ahead

There is a compelling case for the IsDB to focus its development assistance on Africa on account of the region's high incidence of poverty: close to half of the people live under extreme poverty; about 60 percent of the rural population is still without water supply and sanitation services; 20 percent of the urban population still live without water supply and sanitation services, less than 5 percent of domestic sewage actually gets treated prior to being discharged in the environment, child malnutrition rate is as high as 40 percent in some countries; child and maternal mortality rates remain very high; less than two-thirds of children are enrolled in primary schools; and the majority of the countries in the region are off-track to meet the MDGs. In addition, the social and economic burden posed by malaria, HIV/AIDS and other communicable diseases is further exacerbating Africa's predicament.

To address this, the IsDB's strategy in the medium to long-term in Africa will focus on (a) improving agricultural productivity and food security; (b) combating major diseases, particularly malaria; (c) improving maternal-child health; (d) scaling up investments in water and sanitation; and (e) expanding education and economic opportunities for women. It is the IsDB's resolve to work closely with its development partners, especially the UN system, multilateral and bilateral donors, NGOs and the private sector in order to have a discernible contribution to the attainment of the MDGs and to fighting poverty in Africa.

Annex III to the letter dated 15 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations addressed to the Secretary-General

Draft resolution

Observer status for the Islamic Development Bank Group in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Islamic Development Bank Group,

1. *Decides* to invite the Islamic Development Bank Group to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

United Nations A/61/647–S/2006/1000

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Security Council

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General Assembly
Sixty-first session
Agenda items 13 and 14

The situation in the Middle East

Question of Palestine

Security Council
Sixty-first year

Identical letters dated 18 December 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you of the number of Palestinian terror attacks carried out against Israel over the past week, in violation of the ceasefire that is in place.

From Sunday morning, 10 December 2006, until this morning, 18 December 2006, 11 Qassam rockets were launched by Palestinian terrorists in the Gaza Strip at Israeli communities in the south. Of those rockets, two landed in the town of Sderot. Buildings in the area were damaged by the falling rockets.

Palestinian terrorists are continuing their relentless campaign of Qassam rocket attacks in spite of the ceasefire agreed upon by Israeli Prime Minister Ehud Olmert and Palestinian Authority President Mahmoud Abbas nearly three weeks ago. Israel is exercising restraint in responding to these ceasefire violations, knowing that the terrorists are using the opportunity to rearm and plan future attacks.

Continued Palestinian terror, in particular the violation of the ceasefire principles, gravely threatens the prospects for peace and security in our region.

I would be grateful if you would arrange to have the text of the present letter circulated as a document of the sixty-first session of the General Assembly under agenda items 13 and 14, and of the Security Council.

(*Signed*) Daniel **Carmon**
Ambassador
Chargé d'affaires a.i.

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Credentials of representatives to the sixty-first session of the General Assembly

Report of the Credentials Committee

Chairman: Mr. Gilles **Noghès** (Monaco)

1. At its 1st plenary meeting, on 12 September 2006, the General Assembly, in accordance with rule 28 of its rules of procedure, appointed a Credentials Committee for its sixty-first session consisting of the following Member States: China, Guyana, Kenya, Madagascar, Monaco, Peru, Russian Federation, Tonga and United States of America.

2. The Credentials Committee held its only meeting on 14 December 2006.

3. Mr. Gilles Noghès (Monaco) was unanimously elected Chairman.

4. The Committee had before it a memorandum by the Secretary-General dated 14 December 2006, concerning the credentials of representatives of Member States to the sixty-first regular session of the General Assembly.

5. As indicated in paragraph 1 of the memorandum of the Secretary-General, formal credentials in the form required by rule 27 of the rules of procedure of the General Assembly had been submitted by the following 131 States: Albania, Algeria, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kiribati, Kuwait, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Mongolia, Morocco, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Paraguay, Philippines,

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Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saint Kitts and Nevis, San Marino, Sao Tome and Principe, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Somalia, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Viet Nam, Yemen and Zambia.

6. As indicated in paragraph 2 of the Secretary-General's memorandum, information concerning the appointment of their representatives to the sixty-first session of the General Assembly had been communicated to the Secretary-General, by means of a facsimile communication from the Head of State or Government or Minister of Foreign Affairs or by means of a letter or note verbale from the Permanent Mission concerned, by the following 46 Member States: Afghanistan, Angola, Argentina, Benin, Bolivia, Cambodia, Cameroon, Cape Verde, Central African Republic, Democratic Republic of the Congo, Djibouti, Dominica, Equatorial Guinea, Eritrea, Estonia, Fiji, Gambia, Greece, Honduras, Kazakhstan, Kyrgyzstan, Lao People's Democratic Republic, Liberia, Marshall Islands, Monaco, Nigeria, Palau, Papua New Guinea, Peru, Rwanda, Saint Vincent and the Grenadines, Samoa, Seychelles, Sierra Leone, Solomon Islands, South Africa, Sudan, Swaziland, Timor-Leste, Tonga, Tuvalu, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Vanuatu, Venezuela and Zimbabwe.

7. As indicated in paragraph 3 of the Secretary-General's memorandum, the following 15 Member States have not made any communication to the Secretary-General: Belgium, Belize, Burundi, Chad, Comoros, Ethiopia, Gabon, Guinea-Bissau, Iraq, Liechtenstein, Montenegro, Mozambique, Niger, Saint Lucia and Senegal.

8. The Chairman proposed the following draft resolution for adoption by the Committee:

> "*The Credentials Committee*,
>
> "*Having examined* the credentials of the representatives to the sixty-first session of the General Assembly of the Member States referred to in paragraphs 5 and 6 of the report of the Credentials Committee,
>
> "*Accepts* the credentials of the representatives of the Member States concerned."

9. The draft resolution proposed by the Chairman was adopted without a vote.

10. The Chairman then proposed that the Committee recommend to the General Assembly for adoption a draft resolution entitled "Credentials of representatives to the sixty-first session of the General Assembly" (see para. 12). The proposal was adopted without a vote.

11. In the light of the foregoing, the present report is submitted to the General Assembly.

Recommendation of the Credentials Committee

12. The Credentials Committee recommends to the General Assembly the adoption of the following draft resolution:

Credentials of representatives to the sixty-first session of the General Assembly

The General Assembly,

Having considered the report of the Credentials Committee and the recommendation contained therein,

Approves the report of the Credentials Committee.